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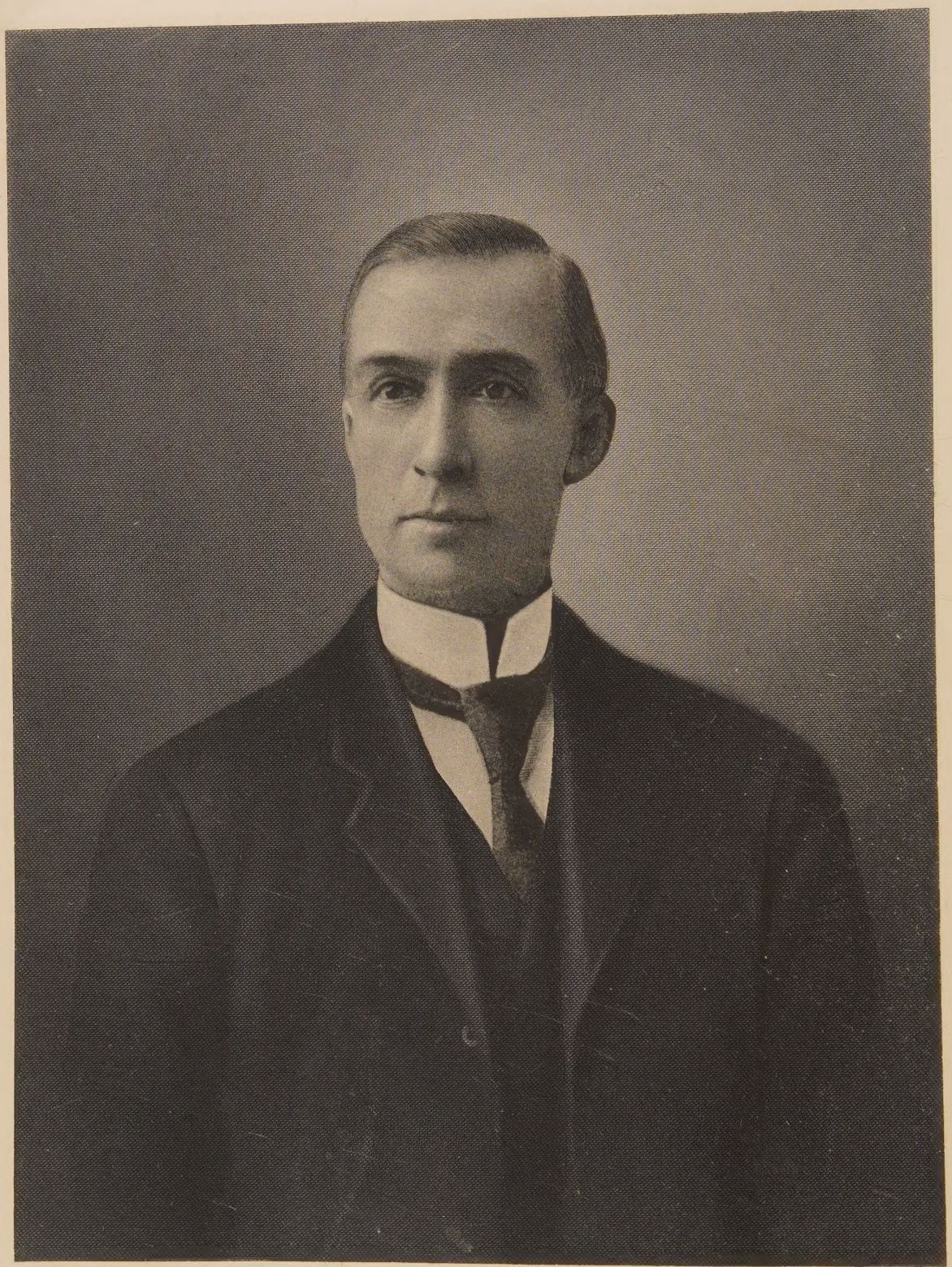

Dunbar Rowland

HISTORY OF

MISSISSIPPI

THE HEART OF THE SOUTH

By

DUNBAR ROWLAND, LL.D.

Director of the Mississippi State Department of Archives and History

VOLUME I

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Chicago-Jackson
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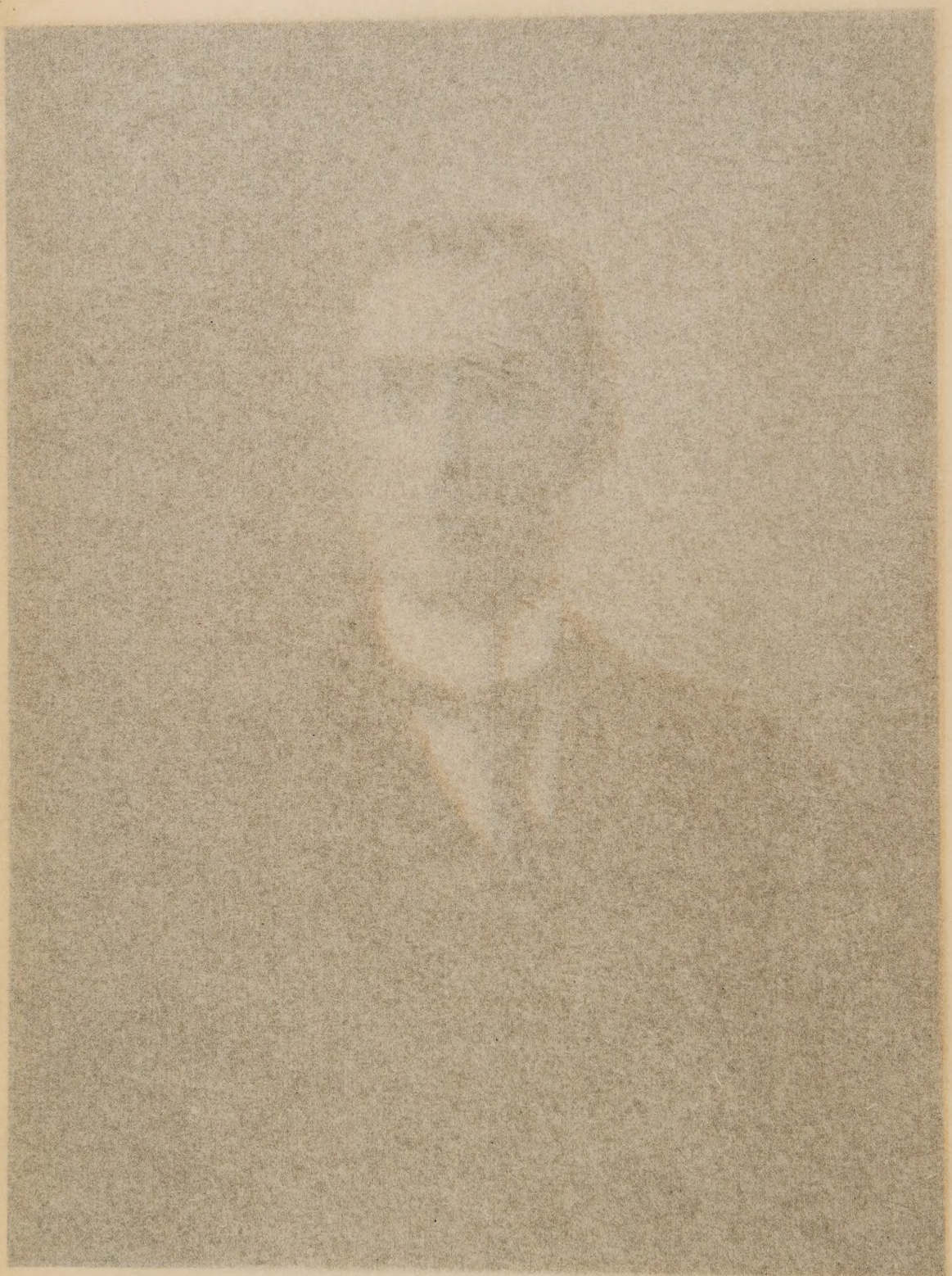

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INTRODUCTION

There is no field of American history more important nor more interesting than that of the various States of the American Republic. The story of the Nation is largely a combined one of all the States of the Union, many of which made the earlier chapters of the history of the country before National history began. The history of each State and Territory embracing the group created after the union of the original thirteen colonies down to 1812 is necessary to the right understanding of our complete independence as a Nation of all foreign interference. The history of the States created thereafter up to the War for Southern Independence must be studied to understand the history of the Nation lying between 1812 and 1860, and the study of the entire number is necessary to the interpretation of our history as a whole. A proper presentation then of what took place in the various governmental divisions of the Union illuminates the whole and makes it easier for the student and reader to understand the continuous history of the country.

The foregoing being true, one of the important objects and tasks of American historians is the writing of adequate State histories. This field has been attractive to writers of history from a very early period and much good work has been accomplished; and for the last twenty-five years it can be said that some of the best historical work in the United States has been done in the field of State history based on original sources.

Many of the States of the Union are at present engaged in the collection and publication of original historical records. Since 1902 the State of Mississippi has been actively engaged in the collection of its original historical sources and during the course of these activities the historical archives of the State have been centralized, classified and made accessible for use and are being printed. The archives of England, France and Spain have been

carefully searched for materials concerning the colonial period of Mississippi history; and sixty-one volumes of these early transcripts have been secured and are being translated.

In 1907, with the use of such sources an *Encyclopedia of Mississippi History*, was issued by the author as a working medium in the administration of the work of his office. In the preparation of that work the historical archives were extensively used for the first time. While the *Encyclopedia* was adapted to the use for which it was prepared and has proved of great service to readers and students for ready reference in the study of special subject it has not taken the place of a definitive narrative history of the State. There has for a number of years been a desire on the part of the people for a narrative history based on the best original sources of information and these volumes have been prepared and published in response to public demand. Both original records and the *Encyclopedia* which was prepared from original sources have been used in its preparation with quotations from the best authors. In the early chapters original documents have been liberally used wherever these continued to logically unfold the story. The work is the final result of long years of laborious research and I trust that it will answer the purpose for which it is intended.

The people of the State of Mississippi who have never been unmindful of their history have welcomed this further effort in a most generous manner and have given the author every assistance and encouragement possible.

In a brief foreword written for the purpose of announcing a narrative history of the State it is not possible to even so much as faintly outline the achievement and progress of the people of Mississippi, but I cannot forego the pleasure first of all to acknowledge the debt we owe to its early founders,—those who dared the unknown and those who came later with the axe in their strong hands to clear the primeval forests, establish homes, risk the massacre, defend their settlements against the savage foe and build altars to the known God—these are our great Benefactors.

When culture, wealth and ease come to a people they are apt to forget the pioneers of their race, and the historian who neglects the achievements of these early periods fails in one of the most essential points of history. It is to these early backgrounds that

we have devoted some of the most painstaking pages of our history.

That Mississippi has a great history none who studies its pages since the establishment of its first Colonial capital on its beautiful Gulf shore at Old Biloxi will gainsay. It has come a long way over ground that is every inch historical.

The provincial and colonial background of Mississippi's history is filled with adventure, romance and high courage and is as marvelous and as attractive as that of any State in the Union. On its first pages are grouped such spirits as La Salle, Iberville and Bienville, whose exploits will compare in gripping interest with any in colonial American history. Under British dominion its great river settlements were planted with an Anglo-Saxon race that it has for the most part kept pure. In its Territorial period as a part of the American Union it had for its second Governor, William C. C. Claiborne, who went from its capitol at Natchez to New Orleans to receive the Louisiana Purchase from a representative of the great Napoleon. Later, with the exception of the battle of New Orleans, its territory was to be the scene of General Andrew Jackson's Coast Campaign against the British in the War of 1812, and it has just recently been ascertained how much it aided Jackson in that campaign. With that of General Jackson, for whom the State's capital was named, will always be linked the name of the chivalrous Col. Thomas Hinds who commanded the American cavalry in the defense of New Orleans.

In the next historical group that made its story a part of our national history we find Gen. John A. Quitman who in the Mexican War led the attack on the City of Mexico and became its first Military Governor, and Jefferson Davis, famous as the hero of Monterey and Buena Vista in the same war, whose great service to the West could be classed second to that he rendered the Confederate States of America in their effort for independence. With these should be listed the names of S. S. Prentiss, whose culture and powers of oratory attracted national attention; and R. J. Walker, known as one of the most influential statesmen of his day. In its later history the names of L. Q. C. Lamar, J. Z. George and E. C. Walthall, and still later that of John Sharp Williams, have kept it safely in the national Hall of Fame. Not only these, but the pages of its history are filled with the faces of men and women who accepted the gage so gracefully enshrined

in verse by the historian Macaulay, one so familiar to the reader that it need not be quoted here.

For tremendous historical action few people have shown more aptitude than have the people of Mississippi. In literary attainment we agree with its critics that it has not mellowed into the ripe culture that produces fiction, though it has claimed and is still claiming a small coterie of as good writers of history, poetry and fiction as any State of its period of formation in the Union, and its intellectual aspiration is manifest in many fields of effort. Pioneer conditions, the setting up and giving up of the institution of slavery, many wars and the poverty that accrued therefrom have given it little time for that individual creative work that comes of large leisure, but there has always been something convincing in the personality of its people. The ability to rise to any crisis, to suffer defeat, to triumph over adversity, to forget injury and to charm the critic and the prejudiced with kindly good will makes its history a subject for great literature. Its people for the most part are of Revolutionary ancestry, and though in many instances unable to trace their lineage, through ignorance of their family records are as a whole the purest type of original population that can be found in any section of the Union. Take them all in all they have borne themselves well. In their political ideals and principles they have worshiped the great idols of their history, Washington, Jefferson, Calhoun and Patrick Henry. No people anywhere in the Union have clung closer to the old established principles and customs of the country and none have acknowledged in their lives more dependence upon Divine Providence. Though democratic in social spirit and governmental principles, pride of race is deeply implanted in their thought. From long dwelling in a genial climate they have grown impulsive and responsive, but the old loyalty and devotion to whatever they conceive to be their rights and liberties, so characteristic of the ancient breed, is still a stubborn trait deeply rooted in the bone. In the Great World War fought for justice among the nations of the earth no people understood the issue more clearly nor put more enthusiasm in the service rendered; the author has seen the poorest and humblest of Mississippi women with faces as pale as death yet with firm countenances send their sons to France.

That Mississippi in its natural formation and chorography

is an unusual and an attractive State is readily perceived by the traveler who follows its varied highways. Its boundaries give its body a comely and for the most part regular shape, laved by historic waters on both its western and southern borders. Lying in deep rich deltas along its great River and lesser waters, spreading out into broad level prairie, sweeping down in wide plains of long leaf pine lands to its Gulf shores and breaking away into rolling uplands and hill country to the northeast it has one of the most varied topographies of any State in the Union. For sheer beauty in the spring time its Magnolia groves along its southern rivers compete with any forests in the world. In its deep woods and in its open fields and on the lawns of its myriads of small cities the mocking bird, the nightingale of America, sings and nests with equal freedom. There is beauty everywhere for those who know how to find beauty. And for all that may be said by the carping critic there is deep content in the soul of both the white man and the black man.

Out of its population of long and permanent growth that has been separated and influenced by an entirely different natural environment, topography and pursuits so much so as to produce almost different types, the State welds its interests together in its legislative halls with surprising ease whenever an issue arises that demands common effort.

In closing this introduction the author wishes to express his thanks to those who have aided him.

In the preparation of this work words are inadequate to express my deep appreciation of the great assistance given me by my wife who has not only encouraged and inspired me throughout, but has assisted me in the preparation of many of its chapters. To her I make my first acknowledgments for the painstaking, faithful and unfaltering services in this final result of long years of patient and laborious research.

I wish also to express my thanks to Mr. H. G. Cutler, the faithful and efficient representative of the S. J. Clarke Publishing Co., for valuable assistance, and to the publishers for innumerable courtesies.

Special mention is due Mr. H. H. Knoblock, the capable young assistant in the Mississippi Department of Archives and History, whose service has been most helpful.

For scholarly translations of Mississippi Provincial Archives, French Dominion, I have pleasure in expressing my thanks to Prof. A. G. Sanders of the chair of Modern Languages of Millsaps College, and Translator of French and Spanish Archives in the Department of Archives and History.

Dunbar Rowland

Mississippi Department of Archives and History
The Capitol, Jackson, Mississippi.

June 24, 1925.

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HISTORY OF MISSISSIPPI
THE HEART OF THE SOUTH

CHAPTER I

PHYSICAL FEATURES OF MISSISSIPPI

WATER-SHEDS OF MISSISSIPPI—THE MISSISSIPPI RIVER FRONT—WIDTH AND DEPTH OF BOTTOM LANDS—ORIGIN OF THE NAME MISSISSIPPI—SURFACE GEOLOGY AND THE SOILS OF MISSISSIPPI—FOUNDATION OF THE AGRICULTURAL SOILS—TERTIARY DEPOSITS AND FERTILIZERS—CRETACEOUS PERIOD AND ROTTEN LIMESTONE—THE PRAIRIE LANDS OF THE STATE—OTHER REGIONAL DESCRIPTIONS—COMMERCIAL STONES OF THE CARBONIFEROUS ERA—SPRINGS, WELLS AND MINERAL WATERS.

The physical body of what is known as the State of Mississippi was especially moulded by the action of the waters in both prehistoric and historic ages, and her prosperity has been drawn from the surface formations of her structure. Neither coal, precious metals nor precious stones have brought her material wealth, nor has oil so far been found within her borders; but vegetable and animal forms of life which depend upon the soil have been the source of her material progress.

WATER-SHEDS OF MISSISSIPPI

The great water-sheds of the State of Mississippi are those over which its interior waters are drained into the Mississippi and the Gulf of Mexico. Into the Mississippi Valley flow all the waters of the territory west of the bluffs, from one hundred to three hundred feet high, which bound the rich bottom lands of the Mississippi and Yazoo rivers. Besides the water of the Yazoo, the Mississippi receives that of the Big Black and Homochitto on the west and the Amite, Tangipahoa and Boguechitto (Big Creek) to the southwest. It is estimated that altogether the river bottoms of Mississippi cover an area of more than 7,560 square miles, or over one-sixth of the area of the State.

The Pearl River drains the great central basin of the State, discharging its waters into the Gulf of Mexico, which also receives the drainage of the Pascagoula and Chickasawhay from more eastern sections.

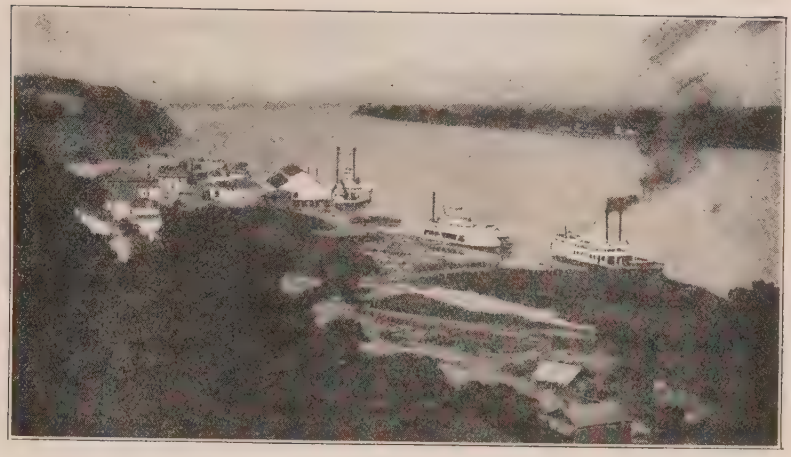
The far northeastern sections are drained by the Tombigbee River, which flows southwardly through western Alabama into Mobile Bay, and the Tuscumbia and Tennessee rivers, which thereby place the State in communication with the valley of the Ohio.

The Tombigbee River drains about 19,000 square miles in this State and Alabama. The water-shed of the Yazoo embraces 13,000 square miles; that of the Pearl River, 9,000 square miles and that of the Pascagoula, about the same area. Besides the larger watercourses, there are forty-one smaller rivers, and nearly 240 large creeks which flow within Mississippi territory. There are numerous beautiful lakes scattered throughout the territory, those in the delta region being made by changes in the channel of the Mississippi River.

All the rivers draining Mississippi territory have undergone changes within historic times, especially the Father of Waters, which has also been designated the great artery of North America. One of the few instances of a topographical change other than that caused by hydraulic action is found in the earthquake of 1811, which destroyed New Madrid, Missouri, and made Reelfoot Lake in Tennessee. The effects of the earthquake were less pronounced in Mississippi. Marked changes however in the course of the Mississippi have been caused not only by the forces of nature but by the development of its system of levees, such old channels as the Yazoo Pass and Old River having been obliterated.

THE MISSISSIPPI RIVER FRONT

Joined through its profusion of waterways with the valleys of the Mississippi and Tennessee (Ohio) and the Gulf of Mexico, the State is physically related to the North, the West and the South. Its greatest bond is the Mississippi River and Major William Dunbar Jenkins, a highly educated civil engineer long connected with government surveys and levee work in the South and the Southwest, has contributed some interesting literature regarding the shifting record of this historic stream. It is especially appropriate that he should be quoted, as he was a native of Mississippi



THE MISSISSIPPI RIVER AT NATCHEZ

VIEW OF THE TOMBIGBEE RIVER AT COLUMBUS

and his father married a granddaughter of Sir William Dunbar, the "pioneer scientist" of the State.

Major Jenkins says in a contribution to the *Publications of the Mississippi Historical Society* (Volume VI): "The history of Mississippi would not be complete without some account of this great river which washes its shores and forms a part of its western boundary for upwards of five hundred miles. The western boundary extending from the 31st to the 35th degree of north latitude, would seem to indicate a length of four degrees, or only two hundred and seventy-eight (278) statute miles, but by river the distance is twice as great and we have a frontage, or more properly called 'a danger line' of five hundred (500) miles. This is due to the sinuosity in the ever-changing bed of the stream.

"It is the tendency of all rivers with swift-flowing currents to assume the serpentine or S shape. It is the old law of the 'angle of incidence being equal to the angle of reflection,' only substitute 'deflection' for 'reflection' and we find that the current striking the bank at an acute angle is deflected to the opposite shore at an equal angle, only to rebound again; so that wherever the bank receives the impact of the current, it yields its soft sandy nature to the force which gradually eats its way into it, a sand bar forming and following on the opposite immediate shore (automatically adjusting itself to the requirements of the stream, so that it will be neither too wide nor too narrow); and thus a straight reach is soon converted into bends or alternate curves, and the distance materially lengthened.

"It does not require the skill of an expert geologist to discover the fact that the Mississippi River is now nowhere near its channel of two or three centuries ago. If I may follow up my observations in this line, I will say that the bed of the stream has generally traveled west, though in places it would seem that the opposite direction has been the rule. I may further state that evidences exist that the river once skirted the foot of the bluffs which extend from the 33rd to the 31st parallels, but which now in places has receded from them for miles, leaving rich alluvial or bottom lands which are capable of cultivation where reclaimed and protected from inundation.

"We must note also, to our sorrow, that some of our towns and even cities have been left not always 'high and dry,' but left some distance from the river. Fort Adams, Grand Gulf, Vicks-

burg and St. Joseph, Louisiana, are notable examples, while others have been swept out of existence, or have caved away to add material to sand bars or 'mud-lumps' below. Even minor changes in our boundary are noted, caused by 'cut-offs' and new channels; inland lakes, which once no doubt formed the bed of the river, are again disturbed by the current of muddy waters; and in our short lives can we notice perceptible changes in the course of this mighty stream.

"Who can say," continues Major Jenkins, who wrote in 1902, "even in this age of scientific discovery, enlightenment and progress, that this fluvial mastodon can and will eventually be controlled and bridled."

The river has been the subject of much historical and romantic literature and it is attributed to S. S. Prentiss that in one of his public speeches he said, "When God made the world He had a large amount of surplus water which He turned loose and told to go where it pleased; it has been going where it pleased ever since —and that is the Mississippi."

From Major Jenkins' paper, which is considered an authentic source, it is learned that the Mississippi River is widest between Cairo, Illinois, and Helena, Arkansas, where it averages more than a mile, gradually decreasing in width as it flows toward the sea. It is deepest between Baton Rouge and New Orleans (117 feet), the depth decreasing with the ascent of the river. The greatest cross sections occur between Cairo, Illinois, and Plum Point, Mississippi, and between Vicksburg and the mouth of Red River, 214,000 and 212,000 square feet respectively.

The five hundred miles of river forming the western boundary of Mississippi represent a formidable stream. That section of the Mississippi has an average width of 4,712 feet, an average depth of 51.5 feet and an average cross section of 198,957 square feet.

WIDTH AND DEPTH OF BOTTOM LANDS

When in flood and unprotected by levees, the Mississippi River extended to a width of thirty miles, and the surplus water found its way to the ocean in many capricious windings through deep forests and vast swamps. As the water receded, it left behind, on the bottom lands, a sediment as fine and fertilizing as the Nile mud. As a result of these long recurring annual overflows

there is a wide belt of alluvium bordering this monarch of the rivers from the mouth of the Ohio to the Gulf of Mexico. The greatest width of this belt in Mississippi is sixty-five miles. The area of the delta is 19,450 square miles. Of this 6,650 square miles are embraced in the Yazoo basin and 278 square miles in the basin of the Homochitto. The alluvial deposit at Cairo is about 25 feet thick and about 35 feet in the Yazoo belt. This thickness is maintained as far down as Baton Rouge. Borings at New Orleans indicate a thickness there of 40 feet.

ORIGIN OF THE NAME MISSISSIPPI

The steps by which the name Mississippi was finally made a permanent fixture of the great river of the United States were similar to those which have usually determined the nomenclature of geography. The high-sounding, elaborate names have been displaced by those of condensed form and primitive origin. The Rio del Espiritu Santo, Rio Grande del Florida, or even Rio Grande of the Spaniards, and the Colbert and St. Louis of the French, were gradually displaced in the geography of the New World by a euphonious consolidation of the names as applied by the Indians of the Mississippi Valley. It appears that the southern Indians did not give the river such a name when the earliest explorers reached the coast. The name given by the gulf coast Indians was written by the French as *Malabouchia.*

Meechee Seepee, or something sounding like these words, was the name applied to the river by the Indians of the Northwest visited by La Salle and Marquette. The *Meeche* or *Misse* is the same in meaning as the *Micco* of the Creeks and other Muscogees, meaning great as an adjective and chief as a noun. Mississippi means great water, or great river. The French orthography was *Missisippi* and the Spanish, *Misisipi*—both pronounced *Meeseesee-pee,* which corresponds as near as possible to the general Indian pronunciation.

Pere Marquette was the first to introduce the name into the geography of America as *Mitchisipi,* in 1672; Father Hennepin, in 1698, spelled the name of the river *Mechasipi* or *Mechacebe,* and Charlevoix, in 1744, gave it as *Misisipi* or *Micissippi.* The English had claimed Florida and Louisiana since the voyages of the Cabots and the royal claims had passed to Daniel Coxe, a prominent member of the New Jersey council, who attempted

to displace the French at Biloxi, the first settlement on the gulf coast. About the time of his marriage into a prominent Pennsylvania family, in 1722, he published "A Description of the English Province of Carolana, by the Spaniards called Florida and by the French, La Louisiana; as also of the Great and famous river Meschacebe or Missisipi." So that more than twenty years before the publication of Charlevoix, the English author and politician had virtually suggested the spelling of the present. Finally, the consonants were all doubled to indicate the short sound of the vowels.

SURFACE GEOLOGY AND THE SOILS OF MISSISSIPPI

The surface formations of Mississippi, which determine its soils and physical productiveness, are embraced by the Quaternary era or period. They include the alluvial soils, sand bars and the remains of plants and animals; the hammock soils and the inorganic washings from higher lands; the yellow loam, or brown and yellow brick clays; the bluff formations of calcareous silts and the orange sand formation, comprising sands, pebbles and clays.

The orange sand formation is the oldest of the Quaternary era. More recent in the same era comes the Bluff formation of the river coast, the yellow loam deposits that are the basis of the agricultural wealth of the upland part of the State; the hammocks, or second bottoms of the streams yet existing, and latest the alluvial deposits resulting from the action of the waters yet progressing.

The Bluff formation characteristic of the southern river countries is a fine silt, containing mixtures of lime, magnesia and carbonates. Among its fossils it contains the remains of the mastodon, the horse and the ox. It varies in thickness from 10 to 70 feet and is generally overlaid by from 3 to 10 feet of brown clayey loam, the agricultural soil.

The loams which form the surface and essentially the soils of the greater part of Mississippi constitute an independent deposit, later than the orange sand and bluff deposits and older than the alluvial deposits of the present epoch. From the appearance of the loam stratum even on high ridges and elevated uplands, it is obvious that the characteristic yellow loam was mainly deposited before the great denudation that produced the prevailing contour of the country; yet its increasing thickness as the Missis-

sippi River is approached indicates that the great channel was then in existence. On the Tombigbee, Big Black, lower Tallahatchie and Yalobusha, the same increase is noted, but it appears that the cuttings of the smaller streams have been made mainly since the deposit of the loam. The soil may generally be described as mellow clay or loam, tinted with iron and containing from one-tenth to one-fourth siliceous sand, forming loose mellow deposits and abundant beds of good brick clay.

Geographically, the yellow loam region extends east from the Bluff formation and covers most of central and northern Mississippi. It embraces the eastern townships of Panola, Tate and De Soto, the northeast corner of Tallahatchie, and the eastern three-fourths of Grenada, Carroll and Holmes counties, in all of which the bluff formations occupy nearly all the western townships. Marshall, Benton, Lafayette, Yalobusha, Calhoun, Montgomery, Webster, Choctaw, Winston, Attala, Neshoba and part of Lauderdale, form the center of the yellow loam region, while its eastern boundaries are the western townships of Tippah, Union, Pontotoc, Chickasaw, Clay, Oktibbeha, Noxubee and Kemper counties. A brown yellow soil is found to be very productive on the uplands, but the area of such deep soils is so limited that an average of three feet is taken for the entire district.

The yellow loam region is between the Yazoo River and delta on the west and the prairie region on the east. It embraces many rich river and creek bottoms, orginally timbered with oak, hickory, walnut, ash, poplar, elm and maple, also ridges of dogwood and chestnut, as well as of pine. The soil is well adapted to the growth of cereals, fruits, vegetables, grasses and cotton.

The soil most esteemed along the gulf coast is the shell hammock, which corresponds to the sand hammock of the interior, with the addition of beds of oyster and clam shells left by the Indians of ancient times. The hammocks extend inland in narrow strips interspersed by marshes.

The marl beds of the Pearl and Pascagoula rivers are rich and extensive. Clay ridges become more frequent as one advances toward the west and at the head of Bay St. Louis is a pine hill region with a good loam subsoil. Pass Christian and Bay St. Louis are situated on sand hammocks, five to twelve feet above tide-water. The sea island cotton plantations are in the southeast border of the great Pearl River marsh. The islands that

enclose Mississippi sound are of white sand. But there has been a plantation on Cat Island from a remote period and some cultivation and grazing are possible on Ship Island.

FOUNDATION OF THE AGRICULTURAL SOILS

The greater portion of the State immediately beneath the agricultural soils is characterized by orange sand, sand rock and hardpan, which are entirely absent only in the delta. These formations do not closely approach the river north of Natchez, and vary from 40 to 200 feet in thickness. An orange-yellow color predominates, although in the southern pine region are found delicate rose hues and in other sections of the State, crimson and purple. Where iron is present to some extent a ferruginous sandstone is formed, which checks the disintegration of the sand and accounts for such detached hills, or buttes, as are found in northern Mississippi. In this section of the State have been unearthed long tubes and other curious formations in the sandy stratum.

The material next in abundance to the sand consists of pebbles or shingles, either cemented into pudding stone, or more frequently commingled with clay. The pebble belts occur mainly in the belt east of the Yazoo River, and along Bear Creek and the Tombigbee to the great beds of the Warrior.

The character of the sand and gravel deposits proves the formative action of flowing water. The effect of waves, eddies and counter-currents is evident in numerous profiles. The arrangement of the pebble beds into belts indicates currents of greater velocity than at present exist, as the connection of the Tombigbee with the Mississippi was closed by the formation of the intervening pebble beds. Thereby the waters of the Hatchie, Tuscumbia and Big Bear rivers were turned into the valley of the Tennessee. The pebbles were deposited where the current was strongest, the sand in the intervening spaces and the clay in the quiet areas. Still later, at the time of the deposit of the yellow loam, another great denudation occurred.

TERTIARY DEPOSITS AND FERTILIZERS

Aside from the orange sand and yellow loam formations of the Quaternary period, the geological formations of Mississippi which underlie its greatest area and are concerned with the permanent fertility of its soil are those embraced in the tertiary

era. They are most prevalent in the southern part of the State. The lowest in the strata are the lignitic clays and sands; then come the Claiborne stage of white and blue marls, and the Jackson stage of the same, followed by the Vicksburg and Grand Gulf stages of limestones and blue marl and white and gray sandstones. The Grand Gulf formation bears the fossil remains of tree palms, while the Vicksburg, Jackson and Claiborne groups show fossil marine animals.

The Grand Gulf group is mapped geologically as occupying the main part of South Mississippi, but it is generally covered by the orange sand and is not easily found except along the tributaries of the Mississippi and in the Pearl River region. The whole formation, from Grand Gulf (Claiborne County) and Raymond (Hinds County) to the Pascagoula River in southeastern Mississippi, is characterized by the presence of gypsum and common salt. Many of the solid sandstones of this region will effervesce with salt when exposed. The characteristic exposure is in the bluff at Grand Gulf. Near Winchester, Wayne County, the lignitized trunks of trees may be found standing as they grew, buried under twenty feet of orange sand. The trees are ancient forms of palms, pines and oaks.

Touching this subject we find in Goodspeed's *Memoirs of Mississippi* the following: "The territory covered by the tertiary formations shows heavy deposits of semi-carbonized wood coals and a collection of clayey substances of all colors. This lignite is black, as in Choctaw County, or brown, as in Lafayette, and shows its desire to become true bitumen on one side and true bog-oak on the other. It is an uncertain commodity in every way, and so well is this fact established few persons avail themselves of what may be useful in it, while bituminous coal or wood is at hand for fuel, coke or charcoal. As a fuel the presence of iron pyrites destroys its usefulness; for the sulphurous acid in which it abounds casts out such fumes as to render it disagreeable and dangerous. With all its faults it is always welcome in the absence of other fuels.

"The ferruginous green sand and limey marls of the tertiary formation are true fertilizers, rather than sudden stimulants. They contain from 33 to 44 per cent of lime and from 30 to 35 per cent of carbonic acid. Gypsum or plaster deposits exist in Carroll, Attala, Hinds, Madison and adjoining counties, and pure

gypsum is found in Rankin County, as well as in other sections of the State. The argillo-siliceous stone at Fort Adams, Wilkinson County, known as the Davion rock, is an alluvio-tertiary formation. Limestone for building and burning purposes is found in quantity at Vicksburg."

CRETACEOUS PERIOD AND ROTTEN LIMESTONE

The formations of the Cretaceous era underlie those of the Tertiary and the marls and limestones, sands and clays, are rich in fossil marine remains. The most valuable economic deposit is the rotten limestone, a soft chalky rock, frequently exposed in cliffs along the streams and near the surface where there are barren patches. Such are the Chickasaw Old Fields, really small barren patches where the limestone lies close to the surface. During 1903 and 1904 the Selma chalk was carefully mapped through the Tombigbee basin. At the big bend of the Noxubee near Macon, it forms a bluff seventy-five feet high, a solid mass of white chalk.

The flatwoods country of the northeast is an exposure of the midway group, including the gray plastic "popping clay," where the Lafayette sand is washed off. Black oak is the principal timber over the Selma chalk, which forms a rich black loam.

The limestone of the Selma chalk is in some places very soft, but at Prairie Rock is crystalline and is called flint rock. The latter has been used for building, but breaks down easily when exposed to the weather.

Of the marls, or mineral fertilizers, which are the most valuable soil deposits of the cretaceous period, the white, or rotten limestone takes the lead. Geologically, it is known as indurated marl and is found chiefly in the prairie region. When first dug out in its moist state below the surface it is of a pale blue color, but it bleaches and crumbles to powder by exposure to the atmosphere.

The lake and diluvial marls are mixed with fresh water shells and contain much carbonate of lime. The marine marl, such as that at Vicksburg, varies somewhat in character, but all contain marine shells. Near Clinton and Jackson, Hinds County, are deposits of gypseous marl bearing crystalized gypsum. In the Jackson area also occur the green sand marls, containing an immense quantity of shells differing from those found at Vicksburg. In the valley of the Tombigbee are the characteristic cre-

taceous marls, containing more or less green sand and characterized by fossils of the cretaceous era.

As a whole, the cretaceous territory extends from the Tennessee line, southwest to the west line of Pontotoc County in northern Mississippi, south through Chickasaw and thence south by east to the Scooba district in Kemper County. The cretaceous marls of the northeast are found in the greater area of Tippah, Tishomingo, Pontotoc, Itawamba, Chickasaw, Monroe, Oktibbeha, Lowndes, Noxubee and Kemper. The green sand species are found between the northeast prairies and the flatwoods and are said to contain about fifteen per cent of carbonate of lime and a little less than one per cent of potash. One of the most valuable qualities of the rotten lime as a fertilizer is that it is wealthy in the green sand marl. The clay marls are a composition of clay and rotten limestone. Some specimens show as high as thirty-five per cent of carbonate of lime, with lower traces of potash. The marine marls extend across the state from Vicksburg to Meridian and thence into Alabama. They sometimes yield as high as 90 per cent carbonate of lime, with slight traces of potash and magnesia. The fresh water marls belong to the southern counties and particularly to the gulf group. In the absence of pure lime rock, the hard variety of the rotten limestone may be used for burning and, when properly handled, will yield more than 45 per cent of lime. As a building stone, it is so easily cut that it is used to a limited extent in sheltered corners or as interior finish where it is protected from atmospheric disintegration.

THE PRAIRIE LANDS OF THE STATE

The prairie lands of Mississippi correspond substantially with the underlying formations of the cretaceous era; with the soils so richly fertilized with the lime of both fresh water and marine shells. The most pronounced lands of this description are found in northeastern Mississippi and include the counties of Tishomingo, Itawamba, Monroe, Clay, Lowndes and Noxubee and parts of Alcorn, Prentiss, Lee and Chickasaw. Geologically, the region has been known for more than sixty years as the Northeastern Lime region. When settlers first commenced to locate in this section of the state, the soil was found to be too rich for cotton, but the cutlivation of corn and other grain finally sup-

plied the necessary elements to overcome that objection. Clover, cereals, grasses and fruits are also raised to advantage, and the advantages of the diversification of crops are practically illustrated in the prairie region of Mississippi.

Most of the lands in the far northeast included in the valley of the Tennessee are limestone hills, wooded with oak, walnut and sycamore, and are not of great agricultural value. This statement must be modified in relation to the valleys of upper Yellow and Bear creeks, the bottom lands of which are naturally fertile. The valley of the Tombigbee, as well as the plateau between that river and the Buttahatchie, is also highly productive. The prairie country really begins in Pontotoc County, at the Chickasaw Old Fields. The lands were called "fields" by the early settlers, who conceived them to be clearings. The fact was, however, that the outcropping of the rotten limestone prevented the growth of trees and gave them the character of prairies. Between the headwaters of the Hatchie and Tallahatchie, rolling lands displace the pine hills and are especially productive, and south, in Union and Pontotoc counties, are to be found some fertile ridge lands lying along the brow of the rich creek bottoms.

The central prairie region embraces Madison, Hinds, Newton, Smith, Jasper, Clark and Wayne, and parts of Yazoo, Rankin, Scott, Leake, Simpson and Jones. This section comprises a number of small prairie tracts lying between the ridge lands. The loam, which is the prevailing soil, varies in depth from nine to twenty inches, and to insure it against the bad effects of drought, white marl is used as a fertilizer and disintegrater. The soils of the Pearl River bottom are generally light.

The central prairie region produces fine crops of cotton, corn, oats and sugar cane, and is the favorite home of the peach and strawberry.

OTHER REGIONAL DESCRIPTIONS

The western boundary of the prairie lands of the northeast is a strip of land a few miles wide extending from the southern bank of Tippah Creek to Sucarnoochee Creek, at about the center of Kemper County. In several of the counties along this strip the flatwoods are simply timbered extensions of the prairies. Westward the surface of the country becomes undulating. The flatwoods soil is light and shows a deficiency of lime and veg-

etable matter. In the southwestern sections of Chickasaw, Calhoun, Webster and Choctaw counties, white oak so predominates over the other varieties of timber as to give the region the name of the White Oak Flatwoods.

South of 31° 40′ is the long-leaf pine region. It may be said to embrace all of the State south of that parallel except Wayne and part of Jones County in the northeastern part of the region and Jackson, Harrison and Hancock counties on the gulf. The surface is described as "generally rolling, but broken along the rivers, with a sandy soil resting on a thick bed of sandy loam. In the northern tier of counties of this gulf region the short-leaved pine contests possession with the long-leaf, but the latter conquers and simply tolerates the black jack, post oak and the Spanish oaks on its southern territory."

In the long-leaf pine region the great forests yet engage the labor of many sawmills. The well-defined area known as the Delta has a rich marl alluvial soil made by the overflow of the Mississippi and Yazoo rivers and their tributaries. Here flourished the gigantic cypress and various other trees native to a moist soil. Protected by levees, the bottom lands of the region produce immense crops of cotton and corn.

The great Delta country of northwestern and western Mississippi extends from De Soto County on the north to Vicksburg on the south, and of the four million acres covered by it the largest portion is still in timber. The greatest width of this famous fertile tract is from a point in Mississippi nearly opposite Arkansas city, Arkansas, to the bluffs near Carrollton, Carroll County, a distance eastward of sixty-five miles. Thence the delta gradually narrows until the bluff region strikes the Mississippi at Vicksburg. The Mississippi and Yazoo River region, comprising the delta country, includes that part of De Soto County, extending from the river to the bluffs, all of Tunica, Quitman, Coahoma, Bolivar, Sunflower, Leflore, Washington, Issaquena, Sharkey and Humphreys, the western sections of Tallahatchee, Panola, Grenada, Holmes and Yazoo, and a small portion of Carroll.

The Bluff region, south of the delta, is historically identified with the Natchez district, and has been famous for two centuries for its delightful and healthy contour, its magnificent natural trees and a brownish loam soil of great fertility. It was in the Natchez hills region that the original plantations of the territory

and State were planted. The district has been well described as follows: "The Natchez hills region extends north from the Louisiana line, embraces two-thirds of Wilkinson, nearly all of Adams, the western half of Jefferson, all of Claiborne except two thousand acres in the southeast corner and all of Warren except a few townships above Vicksburg. The deposit of silt over the clay dunes and sandstone of the old tertiary measures, at some points over seventy feet, averages about twenty feet. At Vicksburg silt is from forty-eight to sixty-four feet in depth south of the creek, while on the bluffs just north it ranges from ten to twenty-two feet. At Grand Gulf the deposit is fifty feet in depth; while bounding it is the Grand Gulf sandstone, covered with only a few feet of this powdery substance. A stratum of heavy brown clay generally overlays the silt to a depth of from three to ten feet on the level or rolling uplands, insuring excellent land bearing beech, oak, hickory, elm, sweet and black gum, holly, basswood, magnolia, and other commercial and ornamental trees. The bottom lands here correspond with the hammocks of the interior, being second rather than first bottoms; but many fertile tracts are found between the shore of the Mississippi and the hills, owing to the transportation of silt thither from the hills, called by some the "natural marling process."

The gulf coast region proper embraces the three most southern counties of the State. Along the Pascagoula and other rivers the long-leaf pine becomes larger and in places is displaced by pitch pine, live oak, magnolia, and Spanish oak, with an undergrowth of gallberry. It is claimed that the Gallberry flats, the Shell hammocks, the meadows and the marshes of the gulf coast region are peculiarly Mississippian. On the southeastern margin of Pearl River marsh are the Sea Island cotton plantations. The dark mulatto soil resting on its thick bed of pale yellow sand is very fertile where cultivated, and produces large magnolia and other trees and clothes the great pines and live oaks in veils of everliving moss.

COMMERCIAL STONES OF THE CARBONIFEROUS ERA

The oldest of the deposits within the geological structure of Mississippi are related to the Carboniferous group, and consist chiefly of sandstones and limestones of the more substantial texture. The most generally distributed of the sandstones is the

black ferruginous variety, commonly known as iron sandstone. It is supposed to be the remnant of ancient hilltops and sometimes appears in most grotesque forms as if the original material had been subjected to fire or intense heat. As a commercial rock it appears in regular layers, as along the sources of the Tallahatchie and Tombigbee. All the stone of this character found north of the Tallahatchie exhibits more or less mica in its composition. Northeastern Mississippi contains the heaviest deposits of iron sandstone, in the counties of Prentiss, Tippah, Itawamba, Marshall, and Lafayette, with outcrops in the hills and ridges of Calhoun, Yalobusha, Carroll, Attala and Choctaw, farther to the southwest.

In scattered districts of the state the iron sandstone often appears in grotesque forms, as if fused by intense heat. This interesting geological feature is thus noted by Professor B. L. C. Wailes, state geologist of Mississippi, in his report as early as 1854 to the legislature:

"Very frequently it (the iron sandstone) occurs in the characters of a conglomerate or pudding stone—a concrete formed of the rounded cherty pebbles of the drift, and either massive or in thin and widely spread sheets, the latter forming a species of hardpan, in which latter character it is found resting upon beds of yellow ochre, as at the base of the Natchez bluff and again twelve miles below, at the White Cliffs on the Mississippi. At the latter point this rock presents another character and affords a rare exhibition of fulgorites on a magnificent scale; the tubes singly or grouped together in great masses of large caliber and considerable length, resembling cannon or organ pipes. These tubes, however, are of many sizes, varying from an inch to a foot or more in diameter.

"A few miles north of Ripley, in Tippah County, on a ridge where this ferruginous sandstone abounds, fulgorites of a smaller size than those of the White Cliffs are numerous. They appear to have been collected, with other fragments of the rock and piled up so as to form a mound supposed to be one of the monumental tumuli of the aborigines and similar in character to the cairns of Scotland.

"The formation of these fulgorites has been attributed to lightning. Under favorable circumstances these ferruginous conglomerates are continually forming. An old horseshoe, or any

scrap of iron cast by chance in coarse sand or gravel, particularly if intermixed with soil containing calcareous matter, soon forms a concrete and illustrates the chemical affinity by which the particles coalesce.

"Iron, which enters largely into the composition of the matrix, at least is one of the most generally diffused of all solid minerals. It forms a constituent part of many animal and vegetable substances and is also deposited from chalybeate waters. And here it may well be mentioned in what other forms it is found to exist in the state. Besides the pisiform or argillaceous oxide occurring occasionally in certain soils in considerable amount, of no appreciable value but rather a pernicious ingredient injurious to most crops, the bog ore, which is attributed by mineralogists to vegetable depositions, exists in many situations, generally in the wet bottoms of water courses where the earth is of that whitish, tenacious description usually characterized as 'crawfish land.' It has been met with on the Amite, Pearl and Leaf rivers."

Perhaps the most valuable of the commercial stones of Mississippi is what was long known as the Grand Gulf sandstone. It is hard, granite-like, variable in color and texture and has some of the qualities of the primitive or igneous rocks. Many specimens have the appearance of aggregated grains of coarse, angular, black and bluish sand incorporated in a matrix of a white-porcelain or enamel-like character. This variety of sandstone is frequently spoken of as "petrified" rock.

The Grand Gulf sandstone presents itself in mass in the escarpment of the bold promontory on the Mississippi about a mile below the mouth of Big Black River and immediately above the town of Grand Gulf in Claiborne County. Against the promontory mentioned the current of the river sets in full force and by it is deflected in such a manner as to create the extensive and formerly dangerous whirlpool or eddy which gave name to the place. The range of this sandstone, which has been used commercially for many years, is mainly along both sides of the Big Black River into central Mississippi with smaller deposits in such of the northern counties as Tippah, Marshall, Lafayette, Pontotoc and Yalobusha. It is probable that the sandstone dips under Pearl River into Rankin County where it appears in the form of rather regular slabs about five inches thick. Their upper surfaces are smooth and even; the lower sides, uneven and cellular, as they

rest upon diluvial gravel. The Grand Gulf sandstone has been often quarried and used for paving and building purposes.

In his report of 1860, Professor Eugene W. Hilgard, so many years the state geologist of Mississippi, pronounced the mountain, or hydraulic limestone, as seen jutting from Alabama into the extreme northeastern part of the state, the oldest formation of the carboniferous period. It is therefore the oldest geological manifestation in Mississippi. The limestone is a grayish-black rock, prominent near Eastport on the Tennessee River in Tishomingo County and on the hill tops along Yellow Creek. It is not claimed to be as pure as common limestone, for when burned it does not slake like it and when wet seems like cement. On Big and Little Bear creeks outcrops of a peculiar character occur, pointing to excellent agricultural lime. Building stone, flagstone and grinding stone are all products of both Tishomingo and Itawamba counties.

The earlier geological surveys noted the most prominent outcrops of limestone in the Vicksburg area. They occurred in the channel of the small stream bordering the city on the north and in the face of the bluff for half a mile or more. The stratum reposed upon a yellow marl and was divided by it into three layers, each of which was three feet in thickness. The rock is seen occasionally exposed a short distance up the Yazoo River and across the Big Black in Hinds and Franklin counties. It also appears near Pearl River, eight or nine miles south of Jackson. The Mississippi limestone of the southwestern deposits has been used to some extent at Vicksburg, Jackson and Yazoo City, for street paving and building. In later years the native limestone has been used extensively in road construction.

SPRINGS, WELLS AND MINERAL WATERS

Having described the geological formations of Mississippi, many of which are still in progress, and indicated how, in the main, her comely body has been shaped by the mild yet persistent forces of the waters, it is a logical ending of the story to indicate how they have perforated the surface of the earth which they have done so much to form and enrich. The section of the state embracing the pine region is bountifully supplied with springs of pure freestone water, and in the southermost counties water is also obtained from wells of moderate depth. Twenty-five feet

may be stated as the average depth at which permanent streams are obtained in Amite, Pike and Marion counties. On the flat lands nearer the seaboard, wells rarely exceed fifteen or twenty feet. Throughout the delta region the finest flowing wells in the State are abundant.

The prairie district is deficient in good water. In some places cisterns blasted in the rock have been used, these being supplied with rain water. Where artesian wells are impracticable, water is brought to an attainable distance by boring. In Noxubee County these borings have been very numerous. They range from 115 to 600 feet in depth, the water rising variously to within from fifteen to eighty feet of the surface.

At the head of Wells Creek in Franklin County were the great springs of pioneer days. At a later period those at Columbia, Marion County, were developed. The numerous mineral water centers, however, of the Tombigbee in Lowndes and Monroe counties of northeastern Mississippi, drew public attention from the valley of the Pearl. At the present time Cooper's, Stafford's, Brown's and Allison's wells and Robinson and Castalian Springs are noted for their health-restoring qualities.

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CHAPTER II

ABORIGINES OF MISSISSIPPI

ARCHAEOLOGY OF MISSISSIPPI—IN THE MISSISSIPPI VALLEY—THE PEARL —SACRED MOUND OF THE CHOCTAWS—ERECTION OF THE MOUND—RESTING PLACE FOR THE SACRED POLE—HISTORY OF NANIH WAIYA—THE CHICKASAWS AND THE TOMBIGBEE VALLEY—INDIAN TRIBES OF MISSISSIPPI — THE CHOCTAWS — THE WARLIKE, UNCONQUERABLE CHICKASAWS—CHICKASAW CUSTOMS—CUSTOMS AND CHARACTERISTICS OF THE NATCHEZ—MINOR MISSISSIPPI TRIBES.

In their migrations and finally in their more or less permanent settlements, the families of mankind have clung to the waterways of the world, along which they have found their easiest means of transportation and communication and from which they have largely drawn their livelihood. This is particularly true of the primitive peoples of the country now included in the State of Mississippi. Its western boundary, for five hundred miles, is fixed by the great waters of the Mississippi. This, with its tributaries, throws a network of waterways over a large part of western Mississippi. The Pearl River forms the central valley; the Pascagoula, the southeastern, and the Tombigbee, the eastern and northeastern, where the headwaters of the latter approach the Tuscumbia and the other rivers and creeks which flow toward the valley of the Tennessee. It is along these waterways that archaeologists have found the traces of the natives who preceded the Choctaws, the Chickasaws, the Natchez and lesser tribes in possession of the country at the advent of European discoverers.

ARCHAEOLOGY OF MISSISSIPPI

Comparative philology, folk-lore and legends of the Indians are important aids to archaeology, but students have had recourse chiefly to the spade in the prosecution of their work. Of the many tangible prehistoric remains found in Mississippi soil the most important are the fixed monuments, such as mounds, fortifications, shell heaps and graves, and such relics as stone implements, ornaments, pottery and weapons.

It is generally conceded that Henry S. Halbert did more to throw light on Mississippi archaeology than any other investigator in the state. The years of his educational work among the Choctaws also supplied him with an abundance of literary material of which he made good use, and his writings have done much to connect the historic Indians of Mississippi with their predecessors of tradition.

The first scientific explorations of the antiquities of the Mississippi Valley approaching completeness were made by Dr. E. G. Squier, whose report was published in the first volume of the *Contributions to Knowledge*, issued by the Smithsonian Institution in 1848. From the first, the reports of the Smithsonian Institution and its allied body, the Bureau of American Ethnology, have constituted the basic sources of the numerous publications relating to the archaeology and ethnology of Mississippi.

H. S. Halbert and A. J. Brown in their report on *Published Accounts of Prehistoric Remains*, made to the Mississippi Historical Society in 1902 (Vol. V.), acknowledge their large indebtedness to the Institution and the Bureau. Their report is also based on sources listed in Owen's *Bibliography of Mississippi.* The groundwork for the following comments on the prehistoric remains found in Mississippi is therefore laid on the authorities mentioned.

IN THE MISSISSIPPI VALLEY

Ascending the valley of the Mississippi the archaeologist finds numerous objects of interest in Adams, Claiborne, Warren, Yazoo, Issaquena, Washington, Bolivar, Sunflower and Tunica counties. Some of the most striking of the mounds are found in the Natchez district, Adams County. The group of four near the site of old Selsertown has been surveyed and described several times. The largest is an immense elevated mural pile, which has been variously conjectured to be a watchtower, a fortress or a residence of the Great Sun, the chief of the Natchez tribe. As late as 1838 a subterranean entrance could be traced to the center of the mound and in pioneer times great roads could still be traced as centering there. The diameter at the base is 145 feet; that at the top is 72 feet, with a height of 31 feet. The surface of the mound is somewhat oval. According to Squier and Davis *(Ancient Monuments*, p. 18) there were formerly eleven mounds in the

locality. Many of the relics described by the early settlers have been removed. Forty years ago a writer states: "The surface of the platform, on which the mounds are built is strewn with pottery. On and about the smaller mounds down the northern slope, especially in the gullies or washouts, probably brought down from the top, are numerous fragments of burnt clay."

White Apple village, on Second Creek, about twelve miles from Natchez , was one of the largest settlements of the Natchez Indians and the capital seat of the Great Sun. There are several mounds at that locality, indicating that it was an ancient aboriginal center of importance. From the number of artificial mounds to be seen through the whole settlement of Natchez, at some former period it must have been well populated. These tumuli are generally square and flat on top.

Near Port Gibson, in Claiborne County, the remains of what was pronounced an ancient wall were unearthed many years ago, and mounds have been discovered on the Mississippi and Yazoo rivers in Warren County and on Deer Creek in Sharkey County. The latter are in groups of threes, oval in shape or nearly circular, flat on top and the largest occupying nearly an acre.

A short distance east of Stoneville, in the valley of Deer Creek, a tributary of the Yazoo, are what are known as the Avondale mounds. They are built on rich bottom lands in the form of a semi-circle and subject to overflow. The largest thirty feet high, oval in form, and about 200 feet long by 175 feet broad, was used as a graveyard by the pioneer whites. Fragments of pottery and burnt clay have been found near the small mounds.

Prehistoric mounds have been located in the main valley of the Yazoo River. The most noteworthy is a group of four, designated as the Champlin mounds, about the center of Yazoo County, two miles east of the river. They are composed of dark earth like the soil of the surrounding swamp region, and from them were excavated numerous skeletons and a number of polished celts.

The Sunflower River is also a tributary of the Yazoo and near the shoals of its headwaters, in Sunflower County, is quite a remarkable mound, 125 feet long, 100 feet wide and 25 feet high. At the time of its discovery, in the early '90s, it was thus described: "Along the east side of the mound was the outcropping of a bed of burnt clay in small masses or lumps, and below it

some very light colored fragments of pottery. Almost the first spadeful of earth revealed decaying fragments of human bones. Tracing these horizontally under the roots of the oak and under the clay bed a skull was reached resting on a brown platter-shaped vessel, and by the side of it a pot with a scalloped edge, a broken water bottle with a female head on the top of the neck, a pottery tube and a dipper in the form of a shell"; also another medium-sized human skeleton was found lying on the right side. Near the skull was a broken water vessel and fragments of other vessels.

On the Mississippi and Sunflower rivers in Bolivar and Coahoma counties are numerous evidences of prehistoric life. Some graded mounds encircled by an earthwork are located in the Choctaw bend of the Mississippi River, Bolivar County, and both mounds and dwelling sites on the shores of Goose Lake.

A few miles from Friar's Point, in Coahoma County, are the Carson and Dickerson groups. Six large mounds, an earthen wall, a well defined ditch and other earthworks, comprise the Carson group and indicate that the locality was the center of some savage contests. The wall, which is in the form of a parallelogram, measures more than 1,100 feet on three sides and encloses about five acres of ground. It is from 15 to 30 feet wide at the base and from 3 to 5 feet high. In the excavations made in this group were discovered fire beds of burnt clay, stone chips, fragments of pottery, charcoal, ashes and a few skeletons. The conclusion has been drawn that at this locality was a town of mound builders located upon what was then the bank of the Mississippi's ancient channel.

The Dickerson group on the dry gravelly bank of the Sunflower River is generally oval or oblong in shape. One of the mounds explored was found to be an ancient burial ground. At Clarksdale, also on the Sunflower River, is a group of six mounds within a semi-circular enclosure more than 2,000 feet in length. The largest mound is 153 by 100 feet and stands upon a rectangular platform. Upon it formerly stood a small conical mound of burnt clay; charcoal, ashes and fragments of pottery, beneath which were found a fine scallop-edged, double-eared pot and a skeleton. For thirty miles below Clarksdale in the counties of Coahoma, Bolivar and Sunflower, many ancient house sites have been found. They are low flattish mounds and when opened have

always yielded mere heaps of burnt clay, ashes and the accumulated dirt of their ancient occupants, covered by a thin layer of top soil.

Two of the best preserved and most interesting mounds in Mississippi are located in Tunica County and by reason of the fact that they lie along the route of De Soto on his march across that county, these have been named De Soto in honor of the first white explorer of the territory now embraced in the State of Mississippi.

THE PEARL—SACRED MOUND OF THE CHOCTAWS

The Pearl River waters and fertilizes some of the choicest sections of southern and central Mississippi and it seems quite fitting that at the sources of the beautiful stream should be located the traditional footfall of the Choctaws and the sacred monument marking the terminus of their migration from the far west. Nanih Waiya (Bending Hill), the sacred mound of the Choctaws, is said by tradition to also mark the locality where the Choctaws separated from their associates, the Chickasaws, who had journeyed with them from the west.

Nanih Waiya is a pyramidal mound of a kind found almost exclusively in the gulf states. The early chroniclers of De Soto's expedition speak constantly of the mounds, among them Garcilaso de la Vega, who accompanied De Soto. According to La Vega, in building a town the natives first erected a mound two or three pikes in height, the summit of which was made large enough for twelve, fifteen or twenty houses in which to lodge the cacique and his attendants. At the foot of the mound was laid off the public square which was proportioned to the size of the town. Around the square the leading men had their houses, whilst the cabins of the common people stood around the other side of the mound.

From the "lay" of the land, Mr. Halbert was satisfied that the public square at Nanih Waiya was on the north, between the chief mound and the small burial mound. In regard to the rampart it was, no doubt, surmounted by palisades, as De Soto's writers particularly describe the palisaded walls which surrounded the Indian towns. As to the gaps in the ramparts, Mr. Halbert was convinced that they were left designedly as places for the erection of wooden forts or towers, as additional protections to

the town. The Knight of Elvas (Alvaro Fernandez, also a member of the De Soto expedition) describes the town of Pachaha as being "very great, walled and beset with towers; and many loopholes were in the towers and the wall." La Vega mentions the towers made at intervals of fifty paces apart in the stockade wall of Maubila, each tower capable of holding eight men. Dupratz, who translated a description of the country written by a French planter in 1758, describes the circular stockade forts seen among the southern Indians and expressly states that "at every forty paces a circular tower juts out." The statements of such writers explain the gaps in the earthen rampart at Nanih Waiya. This, the sacred mound of the Choctaws, is situated on the west side of Nanih Waiya Creek in the southern part of Winston County about four hundred yards from the Neshoba County line. The mound, which is oblong in shape, is about forty feet in height. Its base covers about an acre and its flat surface has an area of about one-fourth of an acre. Originally it stood on the edge of a circular rampart which has been largely obliterated. In this rampart are the gaps or spaces explained by the quotations of writers already noted. According to Indian tradition there were originally eighteen parts or sections of the rampart.

About two hundred and fifty yards north of Nanih Waiya is a small mound, used for burial purposes, as is evidenced by the numerous fragments of human bones exhumed from it. The bullets and other relics of European manufacture also found in the locality prove the continuity of occupancy to the historic period.

The magnitude of the mound and the rampart, even in their partially obliterated state, together with the legendary traditions concerning them, leads to the conviction that this locality was the great center of the Choctaw population during the pre-historic period. "While there can be no doubt," writes Mr. Halbert, "but Nanih Waiya was the residence of the cacique and his attendants, in accordance with the statements of La Vega, other statements induce the belief that the summit of this mound was sometimes used as a place of sun-worship. Sun-worship, as it should here be specially noted, was not performed as an isolated ceremony, but came in as part of the program during councils in the transaction of all tribal business, both civil and military. The Choctaws were sun-worshippers, as were all other branches of the

NANIH WAIYA, THE SACRED MOUND OF THE CHOCTAWS, AS IT APPEARED IN 1914, TAKEN FROM THE WEST END

The mound is oblong, standing one hundred and fifty feet east and west and sixty feet north and south, with a trail or path coming down the northwest corner.

NANIH WAIYA, THE SACRED MOUND OF THE CHOCTAWS, AS IT APPEARED IN 1914

View from the east end, showing opening among the trees and bushes on top, and indications of tunnel cut about twenty feet into the mound in 1896 by seekers after treasure.

Choctaw-Muscogee family. They regarded the sun as the type or essence of the Great Spirit. And as the Sun, or rather Sun-God, warms, animates and vivifies everything, he is the Master or Father of Life, or, to use the Choctaw expression, 'Aba Inki,' the Father above."

There have been many versions of the legend which accounted for the founding of the sacred mound. While the versions all agree as to the migration from the west or northwest, the prophet and his sacred pole and the final settlement at Nanih Waiya, there is much diversity in the various narratives in regard to the details. The version generally approved by the Choctaws themselves is that given by Rev. Peter Folsom, a Choctaw of the Indian territory who, in 1882, was employed by the Baptists of Mississippi as a missionary among the Choctaws still living in the state. In 1833, soon after completing his education in Kentucky, Mr. Folsom visited Nanih Waiya, in company with his father, who related the legend of his people substantially as follows:

In ancient days the ancestors of the Choctaws and Chickasaws lived in a far western country under the rule of two brothers, Chahta and Chikasa. As their people became very numerous, it was found difficult to procure sustenance in that land. Their prophets therefore announced that far to the east was a country of fertile soil abounding in game, and the entire population resolved to journey eastward in search of the happy land. In order more easily to procure subsistence on their route, the people marched in several divisions of a day's journey apart. A great prophet marched at their head bearing a pole, which, on camping at the close of each day, he planted erect in the earth in front of the camp. Every morning the pole was seen leaning in the direction which they were to travel that day.

After the lapse of many moons they arrived one day at Nanih Waiya. The prophet planted his pole at the base of the mound. The next morning the pole was seen standing erect and stationary. This was interpreted as an omen from the Great Spirit that the long sought land was at last found.

It so happened that the very day the party arrived at Nanih Waiya a party under Chikasa crossed the creek and camped on its east side. That night a great rain fell and it continued several days. In consequence, all the low lands were inundated and

Nanih Waiya Creek and other tributaries of Pearl River were rendered impassable.

After the subsidence of the waters, messengers were sent across the creek to bid Chikasa's party to return, as the oracular pole had proclaimed that the long-sought land was found, with the mound as the center. But regardless of the weather Chikasa's people had proceeded on their journey. The rain had washed away all traces of their march, and the messengers sent after them were unable to find them, returning finally to camp. Meanwhile, Chahta's other divisions had arrived at Nanih Waiya, learned that they had reached the center of their new home land and rested from their long pilgrimage. Chikasa's party, after its separation from the brethren under Chahta, moved on to the Tombigbee and eventually became a separate nationality.

As to the builders of Nanih Waiya, all the evidence shows that they were Choctaws. It is not at all probable that they would have held the mound in such excessive reverence if it had been built by an unknown or alien race.

THE ERECTION OF THE MOUND

The tradition which purports to account for the migration of the Choctaws and the location of their headquarters at Nanih Waiya also explains the origin of the mound. Their leader's magic pole had buried itself deep in the ground, proclaiming that here was their promised land. It was a land of plentiful game, birds and nuts; a fruitful land of tall trees and running waters; creeks full of fish. The first winter passed pleasantly and when spring opened the Indians celebrated their corn dance for several days.

It is said that this was the forty-third green corn dance which the Choctaws had celebrated since they had commenced their travels from the west in search of a permanent home land. They carried the bones of those who had died in these migrations and before they had arrived at Nanih Waiya those who were the burden bearers of the remains had complained of being greatly fatigued. Gideon Lincecum wrote of these in his Choctaw Traditions:

"Many of them declared that if the sacred pole should indicate a removal, it would be impossible for them to go farther, on account of the great number of bones that had accumulated on their

long journey. They could not carry the bones, neither could they think of leaving them behind.

"The chief had for some time been considering the great inconvenience that the marvelous amount of bones had become to the nation. He knew very well the feelings of the people on the subject, and how difficult it would be to get them to consent to abandon the useless encumbrance. He could see very plainly that should they have to go farther a portion of the people, under their present impressions in regard to the dry bones, would be most certainly left behind. On hearing the murmuring suggestions of so many of the people, every day, about the bones of their deceased relatives, and the sacred duty incumbent on the living to preserve and take care of them, he was convinced that the subject must be approached with caution. Yet, the oppressive, progress-checking nature of the burdens was such that they must be disposed of in some way. He called a council of the leaders of the iksas, and in a very prudent and cautious manner consulted them in behalf of the suffering people, enquiring of them at the same time if it was possible to invent any means that would aid them in the transportation of their enormous packs of useless dry bones. It was a subject they had not thought of before, and they required a day or two to make up their minds."

The council met again and decided that they could not change the custom, although many of those who were bearing the bones as a sacred duty did not know the names of the original deceased; to interfere with it would offend the spirits hovering about the bones and protecting them. As the subject was too delicate to be publicly discussed, the council adjourned without action, one of its members criticising the suggestion of the chief in the following words: "Were we to cast away the bones of our fathers, mothers, brothers, sisters, for the wild dogs to gnaw in the wilderness, our hunters could kill no more meat; hunger and disease would follow; then confusion and death would come; and the wild dogs would become fat on the unscaffolded carcasses of this unfeeling nation of forgetful people. The vengeance of the offended spirits would be poured out upon this foolish nation."

As the council was only an assembly of the clan leaders, the chief gathered the people in a great caucus at the dance ground and appealed to them as a sensible man, uninfluenced by the spirits of the dead, and talking to a great, vigorous, live multi-

tude, said: "From new motions and indications made by the sacred pole, which I had never witnessed before, I was led to conclude that our forty-three years' journey in an unknown country had come to its termination. And to avoid hindering and annoying the whole people with what I had on my mind to be considered, I called yesterday a council of the leaders of the iksas (clans), and all the conjurers, for the purpose of examining and deciding on the most prudent course to pursue in case it should be finally ascertained that the leader's pole had settled permanently."

The chief then described the failure of the council and his decision to convene the people in general council and let them decide the matter as to the disposition of the bones of the dead. The chief's conclusion was thus announced:

"From signs which I have just named I conclude, and find it is the prevailing impression of this multitude of self-sustaining people, that our long journey of privations and dangers in the pathless wilderness has ended. We are now in the land of tall trees and running waters, of fruit, game of many kinds and fish and fowl, which was spoken of by our good chief, who is missing in the far off country towards the setting sun. His words have come to pass. Our journey is at an end, and we shall grow to be a nation of happy people in this fruitful land.

"Let us now, like a sensible people, put the nation in a suitable condition for the free enjoyment of the inexhaustible bounties that have been so lavishly spread in this vast country for the use and benefit of this multitude. Let us lay aside all useless encumbrance that we may freely circulate with our families in this widely extended land, with no burthens to pack but such as are necessary to sustain life and comfort our wives and little ones. Let us call this place—this Nanih Waiya encampment—our home and it shall be so that when a man at his hunting camp in the distant forests shall be asked for his home place, his answer will be 'Nanih Waiya.'

"And to establish Nanih Waiya more especially as our permanent home, the place to which when we are far away our thoughts may return with feelings of delight and respectful pleasure, I propose that we shall by general consent and mutual good feelings select an eligible location within the limits of the encampment and there, in the most respectful manner, bring together and pile up in beautiful and tasteful style the vast amount of

bones we have packed so far and with which many of our people have been so grievously oppressed. Let each set of bones remain in its sack, and after the sacks are closely and neatly piled up, let them be thickly covered with cypress bark. After this, to appease and satisfy the spirits of our deceased relatives, our blood kin, let all persons, old and young, great and small, manifest their respect for the dead by their energy and industry in carrying dirt to cover them up, and let the work of carrying and piling earth upon them be continued until every heart is satisfied. These bones, as we all know, are of the same iksa, the same kindred. They were all the same flesh and blood; and for us to pile their bones all in the same heap and securely cover them up will be more pleasing to the spirits than it will be to let them remain amongst the people, to be scattered over the plains, when the sacks wear out in the hands of another generation who will know but little and care less about them.

"You have heard my talk. I have delivered to you the true sentiments of my heart. When it comes my time to depart for the spirit land, I shall be proud to know that my bones have been respectfully deposited in the great mound with those of my kindred. What says the nation?"

The chief's suggestion was earnestly supported by an elderly Indian who had for many years packed the bones of his father through the wilderness:

"I am now growing old and with my declining years come new thoughts. Not long hence, I too must die. I ask myself, who in the coming generations will remember and respect the bones of my father?

"It is true, as our wise chief has already suggested, that we can now witness the wonderful and never-before-heard-of sight of a live nation packing on their backs an entire dead nation, our dead outnumbering the living. It is a pleasure to me, now that my eyes have been opened by the chief's proposition to the propriety of placing these relics of the dead nation to themselves, that we have the power and time to do as he suggests, and most reverently to secure them from being tumbled among our greasy packs, and, from the occasional dropping of the precious bones through the holes in the worn-out sacks, to be lost forever. Let us, in accordance with the wise and reasonable proposition of our

minko, fetch all the sacred relics to one place, pile them in a comely heap, and construct a mound of earth upon them that shall protect them from all harm forever."

The popular assembly then unanimously acclaimed the plan of the chief. Men were appointed to select an appropriate site for the mound and to direct the work while in progress. They selected a level piece of sandy land not far from the middle creek; laid it off in an oblong form and raised the foundation by piling up earth which they dug some distance to the north. It was raised and made level as high as a man's head and solidly beaten down. It was then floored with cypress bark before the work of placing the sacks of bones commenced. The people gladly brought forward and deposited the bones of which they were the guardians until none were left. The bones themselves formed an immense mound. They brought the cypress bark, which was neatly placed until the bone sacks were all closely covered. While the tool carriers were working with the bark, women and children and all the men, except the hunters, carried earth continually, until the bark was all covered from sight, constituting a mound half as high as the tallest forest tree.

This "great grave of the dead nation," however, was not completed until the live nation had celebrated the eighth green corn dance at Nanih Waiya. It was then finished according to the directions of the chief issued at the commencement of the work—brought to the height of a forest tree; its top planted thick with acorns, nuts and pine seeds, leveled and beaten down hard. Then "good old Lopina," who had carried the golden emblem of the sun for so many years, carried the sacred symbol of the nation's worship to the top of the mound and planted it in the center.

It is recorded that at the dedicatory feast one of the Choctaw songs ran:

"Behold the wonderful work of our hands, and let us be glad. Look upon the great mound. Its top is above the trees and its black shadow lies on the ground, a bowshot. It is surmounted by the golden emblem of the sun. Its glitter dazzles the eyes of the multitude. It inhumes the bones of fathers and relatives. They died on our sojourn in the wilderness. They died in a far-off, wild country. They rest at Nanih Waiya. Our journey lasted many winters; it ends at Nanih Waiya."

RESTING PLACE FOR THE SACRED POLE

When the great mound had been completed, in the construction of which the "spirit talkers" and medicine men had refused to participate, the chief called the people together to provide for a resting place for the sacred pole which had guided them through the wilderness to Nanih Waiya. He thus announced the purpose of the popular gathering: "It is proposed by the wise Isht ahullo, who has faithfully carried the sacred pole ever since the virtuous and ingenious Peni ikbi died, that a circular mound forty steps in circumference at the base and as high as once and a half the length of the sacred pole, be erected eastward from the great monument on the high ground towards the middle creek; and that inasmuch as your good, lazy Isht ahullos, yushpakammi, dreamers, spirit talkers and medicine men did not find it convenient to assist you in the construction of the great monument for the dead nation, let them be required to construct with their own hands this mound for the leader's pole to rest upon. They pretend to be always dealing with spirits and sacred things and no other men should be allowed to work on the mound that is to constitute a resting place for the sacred pole. The work must be performed and finished by the sacred conjurers, in accordance with the plan and directions of the wise Isht ahullo, who carries the leader's pole and who is this day appointed to superintend the work."

The wise pole bearer thereupon marked off the ground for the new mound and placed the sacred rod in the center. But the lazy conjurers and sorcerers grumbled and did as little work as possible. Then the superintendent attempted to hold them to their task by cutting their food supplies. This plan not being a success, as the lazy dreamers quartered themselves on the hunters, plats of ground were laid off to be cultivated by those who would not work on the mound. The final result was that all but about thirty of the spirit talkers and conjurers disappeared in the forest, and, with them, many wives of the hunters. Those of the priests who were left, who had been industrious and faithful workers, were even in bad repute and under suspicion; so much so that the professional religious class never recovered their former standing.

The conclusion of these difficulties which so convulsed the

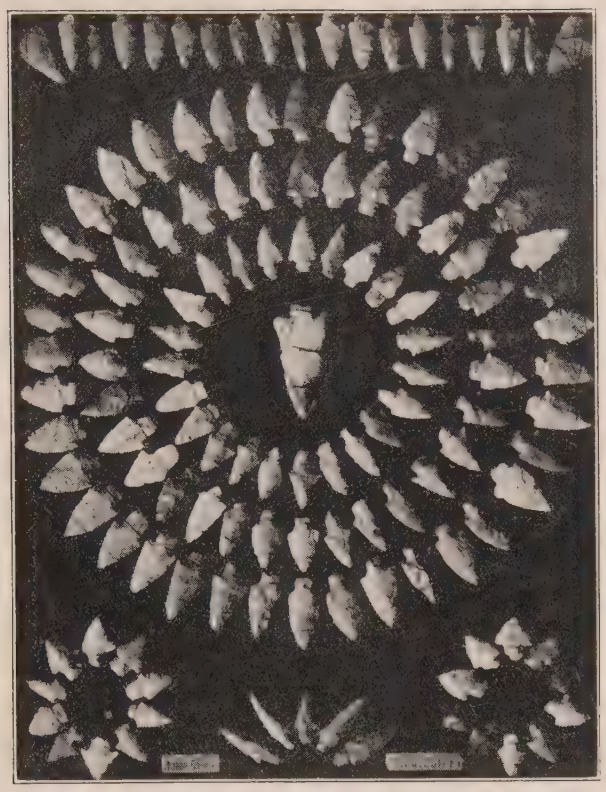
nation is told in Gideon Lincecum's paper in the *Publications of the Mississippi Historical Society* (Volume VIII) on "Choctaw Traditions about their Settlement in Mississippi and the Origin of their Mounds:" "The Isht ahullo who was so long the bearer of the sacred pole, had always deported himself as a good, industrious man; and it was from his management that the investigation of their conduct and the flights of the conjuring priests had been brought about. After a time with the small band of Isht ahullos that had been left, he completed the mound in good style and, planting the sacred pole permanently on its top, he desired the chief to call the nation to its examination, and if the work met with the approbation of the people he wished them to receive it and discharge him and his workmen from further duties in regard to the sacred pole.

"When the people came, they gave their approbation of the comely proportions of the mound by a long continued shout. And by another uproarious shout congratulated themselves on the certainty that their long journey in the wilderness had most assuredly ended. At this, the sacred pole began jumping up and punching itself deeper and deeper into the ground, until it went down slowly out of sight into the mound. At witnessing the wonderful manifestation of the settling pole, there were no bounds to their rejoicing, and they danced and brought provisions, making a glad celebration that continued three days and nights on the occasion of the departing sacred pole."

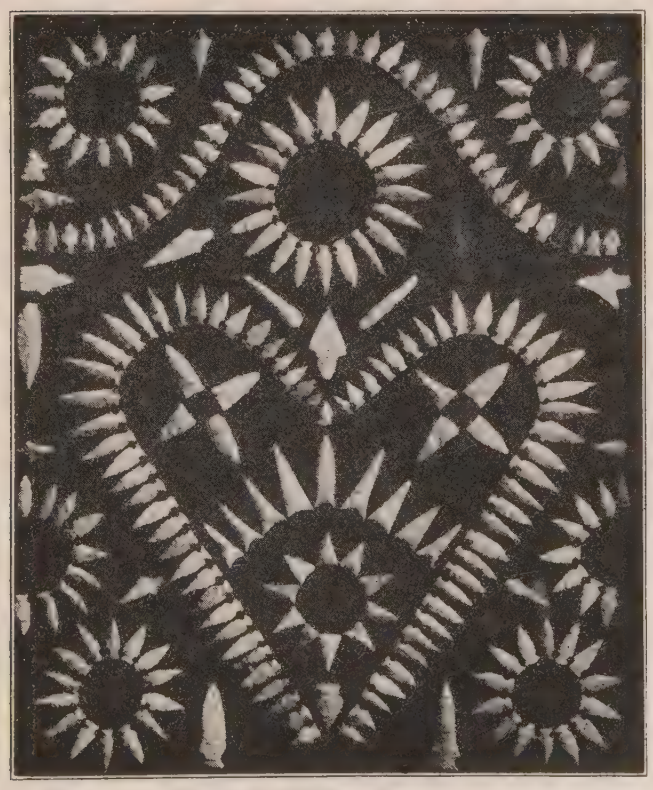
OUTLINE HISTORY OF NANIH WAIYA

During the decadence of the mound-building custom, the structures were gradually made smaller. Many of these small mounds reveal relics of European manufacture, thus giving proof of their comparatively modern age. It can be safely assumed that the larger the mound, the greater its antiquity. Nanih Waiya, being the largest mound in central Mississippi, may possibly date back fifteen centuries. The fifth century is given by archaeologists as the beginning of the mound-building age, which lasted about a thousand years. Of Nanih Waiya at a later day Mr. Halbert writes:

"In regard to the modern history of the mound one event may be placed on record. At one time in 1828, at the instance of Colonel Greenwood Leflore, son of a French trader who married



DISPLAY OF INDIAN ARROW-HEADS AND SPEAR POINTS FROM YAZOO COUNTY



FROM A COLLECTION OF INDIAN ARROW-HEADS, SPEAR POINTS, AND BIRD POINTS IN THE STATE MUSEUM

a Choctaw woman and became chief of the nation, a great national council of the tribe convened at Nanih Waiya. Its object was the making of new laws so as to place the Choctaws more in harmony with the requirements of modern civilization. On this occasion severe laws were enacted against drunkenness and against the practice of executing women as witches. This assembly is remarkable as being the only known national Indian council held at Nanih Waiya within the historic period. How many Indian councils similar to this the mound may have witnessed in the pre-historic past, can never be known."

THE CHICKASAWS AND THE TOMBIGBEE VALLEY

The Chickasaws have their own traditions as to how they came to occupy the Mississippi country at the headwaters of the Tombigbee, north of that claimed by the Choctaws. The story of the Chickasaw migration has been told by Molly Gunn, the grandmother of Cyrus Harris, who was governor of the Chickasaw nation, Indian territory, in the late '50s, and the early '60s. Mr. Harris was born near Pontotoc, only a short distance west of the reputed settlement of the pioneer Chickasaws of Mississippi, and when a mature leader of his people in their Far West reservation heard the following version of their original migration from his venerable grandmother:

"The Chickasaws started east carrying with them a long pole and at night the pole was stuck in the ground erect. Next morning the pole would be found leaning towards the east, which they considered their guide and would from day to day follow or travel in the direction that the pole leant. Each morning this was continued until they reached the place that is known as the Chickasaw Old Fields; by some it was called Old Town (Lee County). When they reached that place at night, as usual, the pole was stuck in the ground as erect as they could possibly put it. On the following morning the leader of the party rose early, the Chickasaws being known as early risers in those days. On examining the pole he found it standing in the exact position that it was left the night before. He proclaimed to the party that they had reached their future home; and the party settled down and made that place their home.

"After this, the Creek Indians occasionally made war against the Chickasaws, but were always repulsed and driven away. They

were, after this, encroached upon by the French and several battles were fought. But the Chickasaws had a very large war-dog that always gave them warning when the enemy was approaching, and, in the heat of battle, kept ahead of the Chickasaws, making heavy attacks upon the enemy. By this assistance, the French generally got the worst of the fight. Now, sir, this is all that I ever heard my old grandmother, Molly Gunn, relate in regard to our ancestors.

"The Chickasaw Old Town, or Old Fields, is not far from Ripley or Tupelo. The road leading from Pontotoc to Tuscumbia, Alabama, formerly ran through those Old Fields. Old Town, in Chickasaw, is Oklah Sepokny. Tishomingo should be spelled Tishu Minco."

Other accounts of the traditional migration give the Chickasaws a wider and more circuitous course before leading them to the headwaters of the Tombigbee in Lee County, but all agree that the final footfall of their wanderings was at the Old Fields. There they built a town, cleared the forest, cultivated maize, and made the locality the metropolis and center of their nation.

Among the stories of Nanih Waiya and its founders is the one, more interesting perhaps than the rest, though not related here on account of its length, that makes the sacred mound their birthplace, from whose bosom they sprang and to which they always referred as their "Great Mother." Having sketched the history of the famous Nanih Waiya, let us consider other ancient monuments of a similar nature still standing in our midst. In the upper waters of the Tombigbee and along the streams which flow into the Tennessee, in northeastern Mississippi, are numerous mounds attributable to the Chickasaws and their ancestors. Lee, Pontotoc, Union, Tippah, Itawamba and Tishomingo counties contain numerous mounds, which are, as a rule, along the margins of water courses. Near New Albany and Ellistown, on streams which flow into the valleys, both of the Tombigbee and Tallahatchie, as well as in other sections of Union County, are many mounds which bear evidences that they stood when the whites had already established contact with the Chickasaws. Among the relics found in this section of the state are an iron brace for a saddle bow, an iron knife and a thin silver plate, the article last named stamped with the Spanish coat of arms.

Farther south is Lowndes County, which is almost equally

divided by the Tombigbee River. The Choctaw country was west of that waterway. The Chickasaws dwelt to the east of the Tombigbee. There are several sites of Indian villages on both sides of the river in Lowndes County and shell mounds of fresh water mussels are not uncommon. While there is an absence of the customary mounds near these sites, there are numerous mounds of low type in the swamp lands, and generally in close proximity to never failing water.

It is said that Plymouth, on the northern border of Lowndes County, immediately west of the Tombigbee, occupies the oldest site of a village in east Mississippi. Situated on a line of high hills overlooking the river to the east it seems now, with its gullied hillsides, cedar and pine thickets, an ideal place for a home. Apart from the evidences of prehistoric occupancy in the form of stone mortars, grooved axes, smoothers and other relics, the place is noted as the site of the old cedar log fort and the fortifications surrounding it. This antiquity has baffled both archaeologists and historians.

Of the five prominent mounds situated along the main channel of the Tombigbee in Lowndes County four are on the east side, or in the ancient territory of the Chickasaws. Taking into consideration the further fact of a considerable village site in close proximity, the conclusion is that the locality was the home of a tribe or clan. In the northeastern part of the county is an isolated mound. It is oblong in form, about 100 by 80 feet in dimensions and, though there is no stream or other mound near it, there is a never-failing spring of water near by which has been used for a century.

Other counties in Mississippi have yielded their evidences of aboriginal occupancy, largely the proofs of the tribal life and struggles of the Choctaws and the Chickasaws, with their forbears of more or less ancient days.

INDIAN TRIBES OF MISSISSIPPI

From the various writings of ethnologists and travellers who have examined into the folklore, habits and history of the Indian tribes which, at different periods, have claimed what is now the State of Mississippi as their home land, the inference is drawn that the primitive possessors of the greater part of its domain were the Choctaws, Chickasaws and Natchez. The great central

expanse of the state was the home of the Choctaws; to the north lay the country of the Chickasaws, reaching into western Tennessee. The Natchez Indians occupied a territory of moderate extent on the Mississippi River, the stage of their activities being in and around the old town which has preserved their name.

In addition to these three important tribes, a number of smaller ones held considerable portions of the soil of Mississippi when French explorers first came into touch with them. At that time there lived in the southern part of the state the Biloxis, the Pascagoulas, the Chosettas, the Mactobys and the Chatos; along the Yazoo River dwelt the Chocchumas, the Tunicas, the Yazoos, the Ofogoulas, the Coroas, the Tapouchas and the Ibetoupas.

Scholars assign the Choctaws and the Chickasaws to the Maskokian, or Choctaw-Muskhogean family, while the Natchez are classed with a distinctive linguistic family, the Natchesan. Speaking in general terms of the Muskhogean, or Choctaw-Muskhogean family, it may be said to have occupied for many centuries prior to the coming of the white races all that vast area of country extending from the Savannah River and the Atlantic west to the Mississippi River, and from the Gulf of Mexico north to the Tennessee River, with the exception of certain small areas in the possession of the Yuchi, Natchez and some settlements of Shawni. The Creeks, who lived on the Coosa and Tallapoosa rivers, were termed the Muskhogees proper, and were constantly at war with the other main branch of the stock, the Choctaws. From the main people the Choctaws settled in the central portions of the present State of Mississippi, the Chickasaws and several smaller tribes becoming separated from the parent body. The strongest evidence of a common origin of these tribes is the fact that their dialects belong to one linguistic family.

THE CHOCTAWS

James Adair, an English trader who spent forty years among the Indians, writing in 1775, locates the Choctaws as follows:

"The Choctaw country lies in about 33 and 34 degrees north latitude. According to the course of the Indian path, their western lower towns are situated 200 computed miles to the northward of New Orleans; the upper ones, 150 miles to the southward of the Chickasaw nation, 150 miles to the west of the late

dangerous French Alabama garrison in Muskhogee country and 150 to the north of Mobile. Their country is pretty much in the form of an oblong. The barrier towns, which are next to the Muskhogee and Chickasaw countries, are compactly settled for social defense, according to the general method of other savage nations; but the rest, both in the center and toward the Mississippi, are only scattered plantations as best suits a separate easy way of living."

The accounts given of the Choctaws and other Indians by the early European travelers are largely tinged by national prejudices. The Choctaws were far more friendly to the French than to the English and Adair therefore characterizes them as "of a base, ungrateful and thieving disposition—fickle and treacherous —ready witted and endowed with a surprising flow of smooth, artful language on every subject within the reach of their ideas; in each of these qualities they far exceed any society of people I ever saw. * * * Except the intense love they bear their native country and their utter contempt of any kind of danger in defense of it, I know of no other virtue they possess."

On the other hand, Mons. Bossu, captain of the French marines, who traveled through Louisiana at even an earlier date than the period described by the Englishman discovered not a few virtues interspersed with vices not uncommon to various representatives of the white race. He spoke of the Choctaws as "entirely the friends of the French." Captain Bossu continues:

"The Choctaws love war and are acquainted with stratagems. They never fight in order, or stand their ground. They only harass and tease their enemies much, without being cowards; for when they come to close engagement they fight very coolly. Some of their women are so fond of their husbands as to go into the wars with them. They stand by their sides in the battle with a quiver full of arrows, and encourage them continually by telling them they ought not to fear their enemies, but die as true men."

Though the Choctaws were said to have been very uncleanly, they were described by the French officer as affectionate and truthful.

"It may be said that the friendship subsisting among the relatives, a thing uncommon in Europe, is worthy of imitation. The mutual love of the Indians toward each other inclines them

to assist each other when they are infirm. This sincere love particularly shews itself in the last duties which they pay to their friends and relations by their tears and grief, even when they exist no more. * * * Almost all the assemblies of the Choctaws are held in night-time. Though they are barbarous and ferocious, it is necessary in order to gain their confidence to take great care to keep your promises to them; without which they treat you with the greatest contempt, proudly telling you that you are a liar."

William Bartram, an English botanist, as was his father, visited the gulf coast of Mississippi in 1777. He sailed from Mobile in the trading boat of a French gentleman, who was general interpreter of the Choctaw nation and was then returning to his plantation on the banks of the Pearl River. He thus notes the strange burial customs of the Choctaws: "As soon as the person is dead, they erect a scaffold eighteen or twenty feet high in a grove adjacent to the town, where they lay the corpse lightly covered with a mantle. Here it is suffered to remain, visited and protected by the friends and relatives until the flesh becomes putrid so as easily to part from the bones. Then undertakers, who make it their business, carefully strip the flesh from the bones, wash and cleanse them, and when dried and purified by the air having provided a curiously wrought chest or coffin fabricated of bones and splints, they place all the bones therein. It is then deposited in the bonehouse, a building erected for that purpose in every town. And when this house is full, a general solemn funeral takes place. The nearest kindred or friends of the deceased, on a day appointed, repair to the bonehouse, take up the respective coffins and following one another in order of seniority, the nearest relatives and connections attending their respective corpse and the multitude following after them, all as one family, with united voice of alternate Allelujah and lamentation, slowly proceed to the place of general interment, where they place the coffins in order, forming a pyramid; and lastly, cover all over with earth, which raises a conical hill or mound. Then they return to town in order of solemn procession, concluding the day with a festival which is called the feast of the dead."

Bartram has a footnote to this paragraph to this effect:

"Some ingenious men, whom I have conversed with, have given

it as their opinion that all those pyramidal artificial hills, usually called Indian mounds, were raised on these occasions and are generally sepulchres. However, I am of a different opinion."

The author concludes:

"The Choctaws are called by the traders, flats, or flat-heads, all the males having the fore and hind part of their skulls artificially flattened, or compressed; which is effected after the following manner: As soon as the child is born, the nurse provides a cradle or wooden case, hollowed and fashioned to receive the infant lying prostrate on its back, that part of the case where the head reposes being fashioned like a brick mould. In this portable machine the little boy is fixed, a bag of sand being laid on his forehead, which by continual gentle compression gives the head somewhat the form of a brick from the temples upwards; and by these means they have high and lofty foreheads sloping off backwards.

"These men are not so neat in the trim of their heads as the Muscogulges (Creeks) are, and they are remarkably slovenly and negligent in every part of their dress; but otherwise they are said to be ingenious, sensible and virtuous men—bold and intrepid, yet quiet and peaceable—and are acknowledged by the Creeks to be brave.

"They are said to be most ingenious and industrious husbandmen, having large plantations or country farms where they employ much of their time in agricultural improvements after the manner of the white people; by which means their territories are more generally cultivated and better inhabited than any other Indian republic that we know of. The number of their inhabitants is said greatly to exceed the whole Muscogulge confederacy, although their territories are not a fourth part as extensive."

George S. Gaines, who held the position of United States assistant factor at St. Stephens from 1805 to 1825, to encourage trade with the Choctaws, was well acquainted with the tribe and defines it as follows:

"The Choctaw district was divided into three districts. Each district had its principal chief. Mingo Puckshennubbee ruled the western district, situated west of Pearl River. Mingo Homostubbee was chief of the northern district, which adjoined the Chickasaw country. Pushmattaha ruled the southeastern district. His residence was near the present site of Meridian. Major

John Pitchlyn, United States interpreter, resided in the northern district near the mouth of the Oktibbeha, on the Tombigbee."

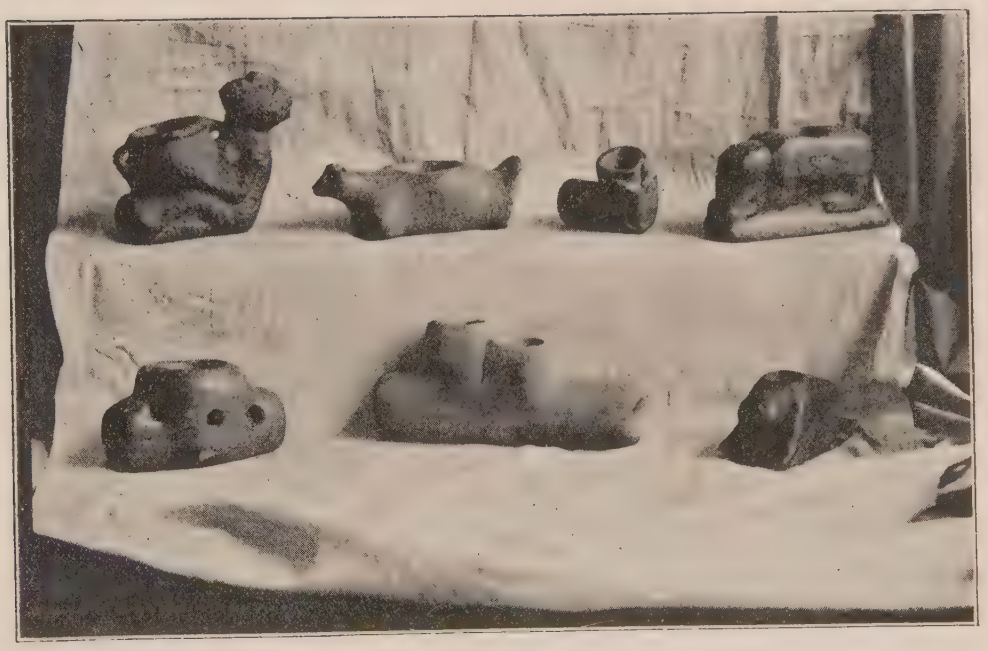
THE WARLIKE, UNCONQUERABLE CHICKASAWS

The Chickasaws were brave and warlike and, after the English came, were the steadfast allies of that race. The country of that tribe reached to the Ohio on the north, to the Mississippi on the west; was bounded on the east by a line drawn from the bend in the Cumberland River to the Mussel Shoals of the Tennessee and extended south into the State of Mississippi to the land of the Choctaws. Within the memory of the whites they were never a numerous people, but had an intense love for their beautiful country and fought to maintain their hold upon it with an intrepidity and skill which gained them the reputation of being the ablest warriors in the South.

Adair, the English trader who wrote about the time of the Revolutionary war, reported:

"The Chickasaws are now settled between the heads of two of the most western branches of the Mobile (Tombigbee) River, and within twelve miles of the eastern main source of Tahre Hache (Tallahatchie), which lower down is called Chocchooma River, as that nation (the Chocchumas) made their first settlement there after they came on the other side of the Mississippi. Where it empties into this, they call it Yahshoo (Yazoo) River. Their tradition says that they had 10,000 men fit for war when they first came from the west; and this account seems very probable, as they and the Choctaws and Chocchumas came from the west as one family.

"The Chickasaws, in 1720, had four large contiguous settlements which lay nearly in the form of three parts of a square, only that the eastern side was five miles shorter than the western with the open part toward the Choctaws. One was called Yaneka, about a mile wide and six miles long, at the distance of twelve miles from their present towns. Another was ten computed miles long, at the like distance from their present settlements, and from one to two miles broad. The towns were called Shatara, Chookheerefo, Hykehah Tufkawillao and Phalacheho. The other square was single, began three miles from their present place of residence and ran four miles in length and one mile in breadth. This was called Chookka Phahaah, or the 'long house.' It was



SELECTED FROM A COLLECTION OF INDIAN PIPES PRESERVED IN THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY

more populous than is the whole nation at present. The remains of this once formidable people make up the northern angle of that broken square. They now consist of scarcely 450 warriors and are settled three miles westward from the deep creek in a clear tract of rich land about three miles square running afterward about five miles toward the northwest, where the Old Fields are usually a mile broad. The superior number of their enemies forced them into this narrow circle for social defense, and to build their towns on commanding ground at such convenient distances from one another as to have their enemies, when attacked, between two fires."

Even the French for whom the Chickasaws seemed to have an implacable hatred gave the tribe credit for bravery. Bossu, already quoted, says:

"I must say a word of the Tchicachas, or Chickasaws. This nation is not as numerous as the Choctaws, but more terrible on account of their intrepidity. All the northern and southern Indian nations, and even the French, have attacked them, without ever being able to drive them out of their country which is the finest and most fruitful on the continent. The Chickasaws are tall, well made and of an unparalleled courage. * * * The Indians of this nation ride well on horseback. They leave the care of cultivating and sowing their grounds to their women, who are handsome and cleanly. When a Chickasaw has killed a roe-deer he tells his wife whereabouts it lies; she goes to fetch it, dresses it and serves it up to her husband. The women never eat with the men, who seem very indifferent about them, but really love them better than any other nation."

CHICKASAW CUSTOMS

Descent among the Chickasaws was in the female line, and property, as well as chieftainship, was hereditary in the *gens*. Children were not regarded as related to their father, but were closely related to their mother, they being of the same house-name, or clan. The husband and father were of a different clan. If a man married a woman who had several sisters, he was permitted to marry them all and live with them as their husband at the same time. A man who died leaving a widow gave his brother a sort of lien on her as a prospective wife.

The marriage customs of the tribe were thus described by Cyrus Harris, a mixed-breed Chickasaw:

"When a man found a girl that suited his fancy, he would send his mother or sister with perhaps calico enough to make one or more dresses tied up in a shawl or handkerchief, with instructions to ask the father and mother of the girl to give their approval of the intention of the sender. If they gave their consent, the bundle was handed to the girl. If she took the bundle it was considered a bargain made. The mother or sister brings back news of her errand. The man then hunts up his clothes and dresses himself from head to foot, paints his face with vermillion and other paints and starts for the residence of his intended. On reaching the place he is invited to take a seat on a cowhide, or the hide of any 'varmint' generally used for seats in those days. After the general topics of the day are talked over, supper is announced. The visitor and the intended father-in-law, in the absence of any other visitor, take supper, unaccompanied by the intended wife or her mother. Some time after supper, a bed commonly occupied by the girl is prepared for their accommodation, the girl getting in bed first previous to the man's entering the bedroom. The man comes in and occupies the front side of the bed. This makes them man and wife and at any time either one of them gets dissatisfied with the other, by jealousy or otherwise, they separate mutually. This, sir, was the ancient marriage ceremony among the Chickasaws."

According to Chickasaw law, a person who stole a horse was whipped by order of the chief, but it was rare for a Chickasaw to steal at all. One of the light horsemen who generally gave the lash went by the name of Ish-yah-kah-py, or Big Legs.

The property of deceased persons went to brothers and sisters, the husband, or wife and children, not being entitled to any part of the estate.

The punishment for murder was based upon the rule of "a life for a life." If a man or woman killed another, he or she was killed by the relatives of the slain. If the murderer could not be found, it was lawful to put to death the brother of the one who had done the killing.

The Chickasaws and Choctaws, though they called themselves brothers and had many customs in common, differed in their

modes of burial. James Adair, in his *American Indians*, published in 1775, describes the burial of a Chickasaw chief, in this wise:

"They laid the corpse in his tomb in a sitting posture, with his face toward the east, his head anointed with bear's oil and his face painted red, but not streaked with black, because that is a constant emblem of war and death. He was dressed in finest apparel, having his gun and pouch and trusty hickory bow, with a young panther's skin full of arrows alongside of him, and every useful thing he had been possessed of, that when he rises again they may serve him in that tract of land which pleased him best before he went to take his long sleep. His tomb was firm and clean inside. They covered it with thick logs so as to bear several tiers of cypress bark, and such a quantity of clay as would confine the putrid smell and be on a level with the rest of the floor. They often sleep over those tombs, which, with the loud wailing of the women at the dusk of the evening and dawn of the day on benches close by the tombs, must awake the memory of their relatives very often; and if they were killed by an enemy it helps to irritate and set on such revengeful tempers to retaliate, blood for blood."

CUSTOMS AND CHARACTERISTICS OF THE NATCHEZ

The Natchez Indians, as the Chickasaws, were divided into families or clans, varying, in the several nations from three to ten. It was also the law that inheritance of property and tribal honors was through the mother's clan. The Natchez nation included two great divisions, each of which was separated into four clans. It was unique among the states of the southern tribes, in that it included an aristocratic, highly privileged class, a despotic form of government and retained the barbaric custom of human sacrifice to expiate the anger of an avenging god. The Natchez were also sun worshippers. Their chief was the Great Sun and his favorite consort, the Great Female Sun. It has been suggested that these characteristics pointed to a Peruvian origin of the Natchez and a descent of their ruling class from the historic Incas.

Albert Gallatin, the financier and first president of the Ethnological Society of America, wrote as follows of the southern tribes:

"It is among the Natchez alone that we find, connected together a highly privileged class, a despotic government and something like a regular form of religious worship. They worshipped the sun, from whom the sovereign and privileged class pretended to be descended; and they preserved a perpetual sacred fire in an edifice appropriated to that purpose. The hereditary dignity of Chief, or Great Sun, descended as usual by the female line (equally true among the Hurons); and he, as well as all the other members of his clan, whether male or female, could marry persons of an inferior clan. Hence the barbarous custom of sacrificing at their funerals the consorts of the Great Sun (or Chief), and of his mother. Her influence was powerful and his authority apparently despotic, though checked by her and by some select counsellors of his own clan."

John R. Swanton, in his *Indians of the Mississippi Valley*, published by the Bureau of American Ethnology (1911), purports to trace the ruling class of the Natchez to a selective process. "Taken together," he says, "language, myth and customs seem to indicate that the Natchez originated from the fusion of people from the southwest affiliated with a Muskhogean tribe from the northwest, probably part of the advance wave of the great Muskhogean immigration, which later became the ruling class in the resulting state." The common people among the Natchez were called Stinkards and were entirely submissive to the Suns, nobles and men of rank.

At the death of the Great Sun, or of a prince, his cabin would be demolished and a mound raised on its site for the cabin of his successor. The Natchez inhumed their dead or placed them in tombs within or near their temples. The body was placed on a cache and round it was drawn a covering of woven twigs. This network was covered with sticky clay or mud, with an opening at the mouth so that food might be offered to the corpse; when the flesh melted away, the bones were placed in a cane box and deposited in the temple. The dead of the plebeian Natchez were mourned for three days, the dead of royalty for a longer period, and the warrior who fell in battle was accorded a long term of demonstrative lamentation. Like the Choctaws, the tribe had general inhumations, and the mounds resulted.

The Natchez are claimed to be the first of the mound builders,

and from the fact that they were the pioneers to possess and cultivate their fertile country east of the Mississippi, and abandon the ways of nomads, they became a settled and flourishing Indian nation when the Choctaws and Chickasaws were still rovers, throughout the land. As to their character, however, they were ever stamped as brutal and cruel. On these points says Charlevoix:

"When this Great Chief, or the Woman Chief dies, all their allouez or guards are obliged to follow into the other world; but they are not the only persons who have this honor; for so it is reckoned among them and is greatly sought after. The death of a chief sometimes costs the lives of more than a hundred persons; and I have been assured that very few principal persons of the Natchez die without being escorted to the country of souls by some of their relatives, their friends or their servants."

The supreme chief was absolute master of the labor of all his people. Both he and the Woman Chief had the power of life and death over them. It is perhaps needless to add that the Great Sun never labored. When he needed provisions he issued invitations for a feast. All the leading inhabitants were required to attend and to bring supplies sufficient for the entertainment and support the royal family until such time as another feast was proclaimed. According to Charlevoix this all-absorbing power of possession exercised by the royal classes, had the effect of making the Natchez villages small and unsightly, and even the Temple of the Sun itself crude—only larger than the cabins. Inside he "never saw anything more slovenly and dirty, nor more in disorder. We see nothing in their outward appearance," he concludes (referring to the Natchez), "that distinguishes them from the other savages of Canada and Louisiana. They seldom make war, not placing their glory in destroying men. What distinguishes them more particularly is the form of their government, entirely despotic; a great dependence, which extends to a kind of slavery in the subjects; more pride and grandeur in the chiefs, and their pacific spirit, which, however, they have not entirely preserved for some years past."

The pride of the ruling classes, with the mild and unresisting temper of the people, was undoubtedly the combination of tribal traits which resulted in the extinction of the Natchez as a people.

MINOR MISSISSIPPI TRIBES

The greater part of what is now known as Mississippi was occupied by the Choctaws, the Chickasaws and the Natchez. Generally speaking, when Europeans first came into contact with these Indian nations, the Natchez were in possession of the Delta country, the Choctaws of the south-central, the central and northern portions and the Chickasaws of the eastern and northeastern sections, the claims of the last named also extending into southern Tennessee and western Alabama.

Most of the minor tribes of Mississippi were located in the southern portion of the state, and some were related more or less closely to the Choctaws and Chickasaws. Some were absorbed by the tribes of those nations and others migrated to Louisiana. The chief of the minor tribes were the Biloxis, Pascagoulas, Chocchumas, Tunicas and the Yazoos.

The Biloxis when first known by the French were living near Biloxi bay, afterward moved to the valley of the Pearl River and finally crossed the Mississippi and settled in Louisiana. They refused to accept the name Biloxis, but called themselves Taneks, "the first people," and a study of their language classes them with the Dakotas.

The Pascagoulas, who lived on the river now bearing their name, were associated with the Biloxis. Their tribal name is of Choctaw origin and signifies "bread people"—paskola, bread, and okla, people.

The Chocchumas were once a tribe of considerable importance and the tradition is that they came from the west with the Choctaws and the Chickasaws. In their later days they lived on the Yazoo, between the Chickasaws and the Choctaws. About 1770 the tribes named almost exterminated the Chocchumas by crushingly defeating them at their stronghold on Lyon's Bluff on the south side of Line Creek in what is now Clay County. What remained of the tribe was merged into the Chickasaw nation in 1836.

At the first coming of the French the Tunicas had some of their settlements on the Yazoo River and others on the Mississippi. One was below the mouth of the Red River in Louisiana and another in what is now Tunica County, Mississippi. In 1817 the entire tribe migrated to Louisiana.

The several tribes comprising the Yazoos lived in the vicinity of the mouth of the river to which their name was attached. By the latter part of the eighteenth century they had been so reduced as to occupy only about one hundred cabins. Their language appeared to be quite distinct from that of the Choctaws. In 1836 the Yazoos were incorporated by the Chickasaw nation.

The migration of the Biloxis, Pascagoulas and other minor tribes is explained by their attachment to the French. When the French power gave way in 1763 to that of the English, these tribes resolved to follow the French into Louisiana. After a great council held in Mobile, in the spring of 1764, to consider the subject of expatriation, they proceeded to carry their resolve into effect.

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CHAPTER III

LEGENDS, MYTHS AND ELOQUENCE OF MISSISSIPPI INDIANS

THE LEGEND OF ATALA—THE ROMANCE OF STEL-O-NA AND THE SIEUR DE MACE—LEGEND OF THE NATCHEZ CHIEF OF THE BEARD—THE CHIEF OF THE BEARD'S WAR SONG—BILOXI INDIAN LEGENDS, THE GARDEN OF EDEN—HOW THE DOG DELIVERED MAN—THE WOLF AND THE OPOSSUM — PASCAGOULA INDIAN LEGEND — LEGEND OF THE CHEROKEE ROSE—THE RING IN THE TREE—THE LEGEND OF PUSHMATAHA'S BIRTH—ELOQUENCE OF MISSISSIPPI INDIANS—NATCHEZ INDIAN ELOQUENCE, SPEECH OF AN OLD CHIEF—CHOCTAW INDIAN ELOQUENCE, SPEECH OF ALIBAMO MINGO—SPEECH OF PUSHMATAHA —SPEECH OF COLONEL COBB — CHICKASAW INDIAN ELOQUENCE, SPEECH OF PAYA MATTAHA—CREEK INDIAN ELOQUENCE, SPEECH OF YAHATASTANAKE.

Many beautiful legends and myths of the Indian tribes of Mississippi have been preserved through studies conducted by the Bureau of American Ethnology and by missionaries and others directly associated with the tribes. While these myths do not rise to the dignity of history they contain much which adds interest to and throws light on the manners, customs, affections and ideals of the primitive peoples of Mississippi. Some of them are given here as a fitting conclusion to the chapter which precedes this brief narrative.

THE LEGEND OF ATALA

The tale of romance among the natives of the South which most grips the heart is that of the Muscogee maiden Atala and her lover Chactas of the Natchez tribe, as recorded by Chateaubriand, the earliest of the French romanticists. When the proud tribe of the Natchez were routed by the warlike Muscogees, Chactas, son of their chief, escaped to St. Augustine and remained there for some time before attempting a return to his people. Soon he was captured by his enemies, who intended taking him to their great village for torture. On the march Atala, daughter of the chief and a Christian through the teachings of her mother,

FRONTISPIÈCE.

ATALA'S FUNERAL.

The Hermit went before with a spade—her Body stretched on a bed of flowers—her Lover creeps at her head.—See page 111.

Margaret Hammer

THE

INTERESTING HISTORY

OF

ATALA,

THE BEAUTIFUL INDIAN OF THE MISSISSIPPI.

BY M. DE CHATEAUBRIAND.

WITH

EXPLANATORY NOTES,

EXHIBITING

SINGULAR CUSTOMS OF THE NATIVES,
FOREST SCENERY, &c.

"If this affecting story move your hearts to pity, one sympathetic tear will amply repay all the pains I have taken for your amusement."
TRANSLATOR.

NEW-YORK:
PRINTED BY GRAM AND MOTT,
No. 68 William-Street.

1818.

FRONTISPIECE AND TITLE PAGE OF "ATALA," BY M. de Chateaubriand

fell in love with him, arranged his escape and fled with him into the wilderness. Past danger of pursuit, they began the long journey to Chactas's Mississippi home, but the brave, strong maiden soon began to blench and grow weak. Finally overcome, she was rescued with her lover from a howling tempest by the pious hermit Father Aubry. The next morning Chactas walked out with the father, and at the sight of his good works among the neighboring Indians was ready to embrace Christianity and be united to Atala in her faith; on returning, they found her in mortal illness. Her mother, Atala explained, had made her take an oath to dedicate her life to the queen of the virgins. Never, before seeing Chactas, had she felt the power of love. But once fled with him, she was torn between the desire of her heart and filial love, between passion and a solemn oath. This it was that had caused her weakness and decline. Comfort, however, came from the good Father Aubry, who explained that true Christianity could not cause such a tragedy, that she could be released from her unwise vow. Too late, too late it came. Torn by pain and remorse, Atala told the father and her anguished lover how in the storm, fearful that she was near breaking the oath, she had taken poison. After the last sad rites over the body of the Christian maiden, Chactas returned in sadness to his own people. In the story are many passages of lyric beauty, and "Atala's song" is quoted in full:

"Happy are those that never beheld the smoke of strangers' feasts, and only sat down at their fathers' banquets.

"Was the blue jay of the Meschacebe to ask the Florida nonpareille, why sadly complain? Have you not here, as in your forests, fine shades, limpid streams, and delicious fruits? Yes, would answer the nonpareille, but my nest I left in the jessamins, who will fetch it to me? Have you the bright sun that blazed on my savanna?

"Happy are those that never beheld the smoke of the strangers' feasts, and only sat down at their fathers' banquets.

"After a toilsome march, the exhausted traveller mournfully seats himself down. He looks around at the smoking tops of huts; the traveller has no place to rest himself.—He knocks at the door, hangs his bow behind it, claiming hospitality.—The owner makes a dismal sign with a refusing hand; the traveller takes back his bow, and bends his wearied steps towards the wilderness.

"Happy are those that never beheld the smoke of strangers' feasts, and only sat down at their fathers' banquets.

"Marvellous stories, told around the parental hearth, sweet flowings of the soul, tender bliss of mutual love, you charm the days of those that never forsook their own country. Bathed at eve by the religious tears of friendship, their tombs arise in their native land.

"Happy are those that never beheld the smoke of strangers' feasts, and only sat down at their fathers' banquets."

THE ROMANCE OF STEL-O-NA AND THE SIEUR DE MACE

J. F. H. Claiborne, in his *Mississippi as a Province, Territory and State*, has preserved the story of Stel-o-na, daughter of White Apple, the Great Sun of the Natchez nation, and the Sieur de Mace, a gallant lieutenant of the French detachment at Fort Rosalie. The details of the romance which led to a determined effort on the part of Stel-o-na to save the French from the Natchez, who had fixed a day for a general massacre of the garrison at the fort and of all colonists, were left by Colonel Anthony Hutchins, the grandfather of Claiborne, in some historical notes found after his death in his papers. In referring to Colonel Hutchins, Claiborne says:

"He selected a settlement on St. Catherine Creek. Soon after he fell in with, and secured the attachment of an Indian, who claimed to be of the Natchez tribe. He advised the Colonel to give up his settlement, and offered to show him 'a sacred place, guarded by good spirits, where the water was always sweet.' He conducted him through the cane, over hills and slopes timbered with magnolia, walnut, sassafras and mulberry, trellised with grape vines, to the White Apple village, the hereditary residence of a chief of that name. It stood twelve miles south of Fort Rosalie, three miles east of the river, on a beautiful stream now known as Second Creek, on what is now called the Homochitto or Woodville road. A large field had been cultivated by the Indians, and on a spacious and commanding mound had stood the wigwam of the chief. The Indian then conducted him to the White Cliffs, (since known as Ellis' Cliffs) on whose lofty brow, frowning over the whirling waters beneath, had been the village of the noted chief, Terre Blanche, or White Earth. 'When the French first came,' said the guide, 'they were welcomed; and the white and

the red men were brothers. But after a while the French, not content with the use of what land they desired and a liberal share of the crops, coveted even the fields where these crops were grown. They ordered the chiefs to abandon their villages and fields, that the white people and their slaves might occupy them. Dreading the power of the French and frightened by their menaces, our chiefs consented to go, but begged for time to harvest their crops, then not matured. The commanding officer granted only a month. Finding that they were to be starved as well as exiled, my fathers resolved on resistance. They dispatched runners to the Chickasaws and Choctaws, to invite their coöperation against a common enemy. Twenty days were to transpire before the three tribes, having united, were to make a simultaneous attack. That no mistake might be made a quiver of twenty arrows was sent to each tribe. One was to be withdrawn and broken every morning before they resumed their march. At daybreak on the morning when the last of the twenty arrows should be broken, the three tribes would commence the attack, and equally share the spoils.

" 'The quiver of the Natchez was deposited in the Temple of the Sun, and it was the duty of the guardian to withdraw an arrow every morning and consume it in the sacred fire. Only the great chiefs and the princesses of the blood royal had the privilege to enter this consecrated edifice. One of these princesses, Stel-o-na, the beautiful daughter of White Apple, loved the Sieur de Mace, a lieutenant of the French, and hoping to save his life and not dreaming of the destruction she was bringing upon her people, she disclosed to him the fatal secret. He communicated it to the commandant, who rejected the story, and put de Mace under arrest. The Princess then entered the temple, and clandestinely abstracted two arrows from the quiver. This precipitated the attack before the Choctaws, who were on the march, could arrive at the point of rendezvous. A general massacre of the French ensued. The Natchez monopolized all the rich spoils themselves. This disgusted the Choctaws and they united with the French to exterminate the Natchez.' "

LEGEND OF THE NATCHEZ CHIEF OF THE BEARD

Charles Gayarré in his *History of Louisiana* tells in rainbow metaphor a beautiful legendary story of the ancestry and death of the Natchez Chief of the Beard, who was executed by order of

Bienville for the murder of three Frenchmen in July, 1716, a short time before Fort Rosalie was built at Natchez. The Chief of the Beard, according to Gayarré, was delivered into Bienville's hands by the Great Sun, Stung Serpent, and the Little Sun, the three head chiefs of the Natchez Nation, as one of the men responsible for the death of the Frenchmen. The condemned chief is described by Gayarré as a man of commanding presence and athletic form, measuring seven feet high. After the manner of his race the great Chief of the Beard before his execution sang his war song, which is a classic of its kind. It is worthy of the poetic fancy of a Gayarré and contains a legend of the origin of the Chiefs of the Beard of the Natchez, and it finds a fitting place in this chapter on the legends of Mississippi Indians.

THE CHIEF OF THE BEARD'S WAR SONG

"'Let there be joy in the hearts of the Natchez! A child is born to them of the race of their Suns. A boy is born with beard on his chin! The prodigy still works on from generation to generation.' So sang the warriors of my tribe when I sprung from my mother's womb, and the shrill cry of the eagle in the heavens was heard in joyous response. Hardly fifteen summers had passed over my head, when long and glossy my beard had grown. I looked round, and I saw that I was the only red man that had this awful mark on his face, and I interrogated my mother, and she said:

Son of the Chiefs of the Beard,
Thou shalt know this mystery.
In which thy curious eye wishes to pry,
When thy beard from black becomes red.

"Let there be joy in the hearts of the Natchez! A hunter is born to them, a hunter of the race of their Suns. Ask of the bears, of the buffaloes, of the tigers, and of the swift-footed deer, whose arrows they fear most. They tremble and cower when the footsteps of the hunter with beard on his chin is heard on the heath. But I was born too with brains in my head, as well as beard on my chin, and I pondered on my mother's words. One day, when a leopard, which I strangled, had torn my breast, I painted my beard with my own blood, and I stood smiling before her. She said nothing, but her eye gleamed with delight, and

she took me to the temple, where, standing by the sacred fire, she thus sang to me:

Son of the Chiefs of the Beard,
Thou shalt know the mystery,
Since, true to thy nature, with thy own blood,
Thy black beard thou hast turned red.

"Let there be joy in the hearts of the Natchez! for a witted chief, worthy of the race of their Suns, has been born to them, in thee, my son; a noble chief with beard on his chin! Listen to the explanation of this prodigy. In days of old, a Natchez maid of the race of their Suns, was on a visit to the Mobilians. There, she soon loved the youthful chief of the nation, and her wedding-day was nigh, when there came from the big salt lake, south, a host of bearded men, who sacked the town, slew the red chief with their thunder, and one of those accursed evil spirits used violence to the maid, when her lover's corpse was hardly cold in death. She found, in sorrow, her way back to the Natchez hills, where she became a mother; and lo! the boy had beard on his chin! and when he grew to understand his mother's words, she whispered in his ear:

Son of the Chiefs of the Beard,
Born from a bloody day,
Bloody be thy hand, bloody be thy life,
Until thy black beard with blood becomes red.

"Let there be joy in the hearts of the Natchez! In my first ancestor, a long line of the best of hunters, of chiefs, and of warriors of the race of their Suns, had been born to them, with beard on their chin! What chase was ever unsuccessful, when over it they presided? When they spoke in the council of the wise men of the nation, did it not always turn out that their advice, whether adopted or rejected, was the best in the end? In what battle were they ever defeated? When were they known to be worn out with fatigue, hardships, hunger or thirst, heat or cold, either on land or on water? Who ever could stem, as they, the rushing current of the father of rivers? Who can count the number of scalps which they brought from distant expeditions? Their names have always been famous in the wigwams of all the red nations. They have struck terror into the boldest breasts of the enemies of the Natchez; and mothers, when their sons paint their bodies in the colors of war, say to them:

Fight where and with whom you please,
But beware, oh! beware of the Chiefs of the Beard!
Give way to them, as you would to death,
Or their black beards with your blood will be red!

"Let there be joy in the hearts of the Natchez! When the first Chief of the Beard first trimmed the sacred fire in the temple, a voice was heard, which said, 'As long as there lives a chief, of the race of the Suns, with beard on his chin, no evil can happen to the Natchez nation; but if the white race should ever resume the blood which it gave in a bloody day, woe, three times woe to the Natchez! of them nothing will remain but the shadow of a name!' Thus spoke the invisible prophet. Years rolled on, years thick on years, and none of the accursed white faces were seen! But they appeared at last, wrapped up in their pale skins like shrouds of the dead; and the father of my father, whom tradition had taught to guard against the predicted danger, slew two of the hated strangers, and my father, in his turn, killed four!

Praise be to the Chiefs of the Beard!
Who knew how to avenge their old ancestral injury!
When with the sweet blood of a white foe,
Their black beard they proudly painted red.

"Let there be joy in the hearts of the Natchez! When I saw the glorious light of day, there was born to them a great warrior, of the race of their Suns, a warrior and a chief with beard on his chin! The pledge of protection, of safety, and of glory stood embodied in me. When I shouted my first war-whoop, the owl hooted and smelt the ghosts of my enemies!—the wolves howled, and the carrion vultures shrieked with joy, for they knew their food was coming!—and I fed them with Chickasaw flesh, with Choctaw flesh, until they were gorged with the flesh of the red men! A kind master and purveyor I was to them, the poor dumb creatures that I loved! But lately, I have given them more dainty food. I boast of having done better than my father; five Frenchmen have I killed, and my only regret at dying is, that it will prevent me from killing more!

Ha! ha! ha! that was game worthy of the Chief of the Beard!
How lightly he danced! ho! ho! ho!
How gladly he shouted! ha! ha! ha!
Each time with French blood his black beard became red.

"Let sorrow be in the hearts of the Natchez! The great hun-

ter is no more! The wise chief is going to meet his forefathers; the indomitable warrior will no longer raise his hatchet in the defense of the children of the Sun. O burning shame!—he was betrayed by his brother chiefs, who sold his blood. If they had followed his advice they would have united with the Choctaws, with the Chickasaws, and all the other red nations, and they would have slain all the French dogs that came prowling and stealing over the beautiful face of our country. But there was too much of the woman in their cowardly hearts. Well and good! Let the will of fate be accomplished! The white race will soon resume the blood which they gave, and then the glory and the very existence of the Natchez nation will have departed forever with the Chief of the Beard; for I am the last of my race, and my blood flows in no other human veins. O Natchez! Natchez! remember the prophet's voice! I am content to die, for I leave behind none but the doomed, and I go to revel with my brave ancestors!

They will recognize their son in the Chief of the Beard!
They will welcome him to their glorious homestead,
When they see so many scalps at his girdle,
And his black beard with French blood painted red!"

BILOXI INDIAN LEGENDS—THE GARDEN OF EDEN

The following Biloxi legend of the Garden of Eden is given in *Bulletin 47* of the Bureau of American Ethnology, page 32:

"Kuti mankdce, The One Above, made people: He made one person, an Indian. While the Indian was sleeping, Kuti mankdce made a woman, whom he placed with the Indian, and the latter slept till day. Kuti mankdce departed for the purpose of making food for the Indian and the woman. After his departure, something was standing erect (it was a tree), and there was another person, who said to the Indian and the woman, 'Why have you not eaten the fruit of this tree? I think that he has made it for you two to eat.' And then the woman stewed the fruit of the tree, and she and the Indian ate it. As they were sitting down after eating the fruit, Kuti mankdce returned. He had departed for the purpose of obtaining food for the Indian and the woman, and he returned after they had eaten the fruit of the tree and had seated themselves. 'Work for yourself and find food, because you shall be hungry,' said Kuti mankdce in anger as he was about to depart.

"When he had gone a long time, he sent back a letter to them; but the Indian did not receive it—the American took it, and because he took it, Americans know very well how to read and write.

"And then after the receipt of the letter the people found a very clear stream of water. The American was the first one to lie in it; next came the Frenchman. They were followed by the Indian. Therefore Indians are not usually of light complexion. The Spaniard was the next to lie in the water, and he was not white because the water had by this time become very muddy. Subsequently the negro was made, and as Kuti mankdce thought that he should continue to attend to work alone, he made the negro's nose flat, and as the water had become very muddy, the negro washed only the palms of his hands, therefore negroes are very black with the exception of the palms of their hands."

HOW THE DOG DELIVERED MAN

Another legend of the Biloxi is "How the Dog delivered man" which is also taken from *Bulletin 47*:

"The Wild Turkey was killing very many human beings. He took their scalps, and wore their hair as a necklace; therefore the turkey has a tuft of hair at the present day. He took off the finger nails of the people and strung them on sinew, wrapping the strings of nails around his legs; consequently a turkey's legs are now covered with ridges just above the feet.

"The people could find no way to kill the Wild Turkey because he ran so fast; therefore they set the Dog on him, and the Dog did not have to run very far before he caught the Wild Turkey and killed him. Then men made a dinner in honor of the Dog; they told him that he should be eating the very best kinds of food; but they had there all kinds of food. Then the Dog said, 'I am going to eat the food which others leave.' And the Dog took some mush which was there, went aside, sat down and spent some time in eating it. Therefore dogs do not eat the best kinds of food, but those which are regarded as inferior, or what is left."

THE WOLF AND THE OPOSSUM

The legend of the Wolf and the Opossum is from the Biloxis and gives an amusing account of how the opossum lost the hair from his tail:

"The Ancient of Opossums killed a Wolf, and, after stringing the Wolf's teeth as a necklace for himself, he walked along singing a song. While he was singing, the Ancient of Wolves came in sight close to him. 'What are you singing?' said he to the Ancient of Opossums. 'Nothing,' replied the latter. 'I was saying, "What very pretty flowers are here!" ' After this conversation the Ancient of Wolves disappeared, and he and his people went some distance ahead and hid from the Ancient of Opossums.

"Meanwhile the latter walked along singing.

"He sang for some time until he thought that he had gone very far from the Ancient of Wolves. Then he sang again about the wolf teeth as he was walking. Just then the Wolf people were coming out of the undergrowth, and appearing before him. When they appeared near him they said, 'This one must be he who has killed some of us.' So they tied the Ancient of Opossums and laid him down; thereupon they searched him and found the necklace of wolf teeth. Then they wished to kill him, but the Ancient of Opossums said, 'If you hit me with any sort of stick I shall not die, but if some persons go to a dead tree which has the bark peeled off and dig it up by the roots and bring a stick from that and hit me but once with it I shall die at once and shall not revive.' They left as a guard over the Ancient of Opossums a one-eyed person, who sat there watching him. Then the Ancient of Opossums in order to play a trick on his guard said, 'Untie me and bring a stick from the dead tree and kill me by hitting me, and be very brave over me as I recline; do so to me and I shall lie dead.' When he had said this, sure enough the one-eyed person untied him, and was thinking of breaking off the fatal stick when the Ancient of Opossums entered a hole in the ground, and thus escaped.

"On the return of the Wolf people just at this time they dug into the ground. While they were digging their foe came in sight at another place. He had painted himself red before he approached them. 'Why are you all acting thus?' said he. At length they replied, 'We are doing so because the Ancient of Opossums killed some of us and entered a hole here.' 'I will enter,' said the Ancient of Opossums, 'and after catching him I will bring him out and you all must kill him.' Then he entered the hole. In a little while he emerged bearing a hoe on his shoulder and with

his body painted yellow all over. 'What are you all doing?' said he, as if he were a stranger. 'We are doing so because the Ancient of Opossums killed some of us and entered this hole,' replied the Wolf people. 'I will go in and catch him, and when I bring him out you all must kill him,' said the Ancient of Opossums. Again did he enter the hole. When he thought, 'I have gone a very long distance,' he began to call out, 'I am he! I am the one who did it!' But while he thought that he had gone far into the hole, he was in error; for his bushy tail stuck out of the hole in full sight of the Wolf people, who seized it immediately and slipped off the skin. Therefore the tails of opossums since that day have been nothing but bone."

PASCAGOULA INDIAN LEGEND

It is claimed by the people of the Mississippi coast at Pascagoula that they frequently hear sweet, mysterious music from the sea. There is a charming legend of the Pascagoula Indians which gives a highly poetic account of this strange Eolian music. It is preserved in many narratives and is given in Minnie Walter Myers' *Romance and Realism of the Southern Gulf Coast*, from which the following beautiful and tragic story of the Pascagoulas is taken:

"It was one of the most powerful on the seacoast, and ruled over what is now Pascagoula, Scranton, and Moss Point. Olustee, the son of the chief, while hunting, met Miona, the daughter of a neighboring chief, and together they learned the sweet old story. Olustee begged that she would come to his people and be the light of his wigwam, but with tears she told him that her father had pledged her to the fierce Otanga, the chief of the Biloxis. Her love for Olustee, however, proved to be greater than her fear of her father, and, yielding to his entreaties, she fled with him to Pascagoula. Coosa, his father, the great chief, was charmed with her beauty, sweetness, and grace, and the next day, 'midst the rejoicing of the tribe, the nuptials were to take place. The wrathful Otanga heard of the flight of his bride, and joining her father, they fell that night upon the sleeping tribe of the Pascagoulas. Bravely the latter fought, but Olustee, seeing that his tribe was about to be conquered, begged that they would deliver him to the enemy, as he had been the cause of strife, but Miona said:

'Otanga wants but me,
And, as this bloody war was for my sake,
Give me to him, and he will leave thee free.'

"The brave warriors swore, however, that they would either save their chieftain and his bride or perish with them in the sea; that their tribe should never be in subjection to the hated Biloxians. And so, when all hope was lost, squaws and children led the way, the braves followed with chants of victory, and all plunged into the sea. The last victims, after a tender embrace, being Olustee and the beautiful Miona. Together they went to the Happy Hunting Grounds.

"Bienville heard this music of the sea, and records it in his narrative; but neither poetry nor science has yet discovered the Rosetta stone by which the mystery can be solved."

The story is also embodied in a stanza written by Mrs. Laura F. Hinsdale:

"The legend tells of those who long have slumbered,
A forest race too valorous to flee,
Who when in battle by their foes outnumbered
With clasping hands came singing to the sea.
The ocean drew them to her hidden keeping,
The stars watched o'er them in the deep above—
Their death lingers, but the tones of weeping
Tell the eternity of human love."

LEGEND OF THE CHEROKEE ROSE

Father Davion was a consecrated Jesuit priest who gave his life in the attempt to christianize the Natchez Indians. The following legend connected with his mission among the Mississippi Indians is narrated in *Romance and Realism of the Southern Gulf Coast:*

"Like a mirage from the past, tradition brings to us visions of romance and adventure with every step that we take upon this enchanted shore. Even the flowers distill their fragrance with memories of the past, and the white Cherokee rose bends and blooms as sweetly now as it did in that night of long ago, when its soft radiance illuminated the pathway of the good Father Davion. Lost in the tangled depths of palmetto and swaying reeds, he vainly sought the pathway to Fort Louis [Biloxi]. At last the light from a Cherokee encampment gleamed upon him,

and there he found refuge. That night he prayed long and earnestly that he might be restored to his people. Sleep came and

'In a dream he saw once more his mother's tender eyes
Bending above him in the light that fell from Paradise.'

"Pointing to a snow-white flower, she told him that it would lead him to his home. In a pathway of light the roses descended from Heaven to earth, and above them he saw among the stars, the Master's crown of thorns.

"Waking, he found, with joyous wonder, the flowers blooming around him, and extending far into the depths of the forest. Ever before him they sprang up to mark his pathway—

'Follow' they seemed to whisper, 'for we are leading thee
Onward and ever onward to the old fort by the sea.'

"Over white sand dunes they led him, and when swollen bayous were reached, they tangled their tiny tendrils into strong bridges upon which he crossed. On and on they led him until at Fort Louis [Biloxi] he heard the joyous welcome of Sauvolle and his comrades. And in the forest we still find this Cherokee rose 'with its snow-flake petals and heart of golden light.' "

THE RING IN THE TREE

In *Romance and Realism of the Southern Gulf Coast* still another interesting phenomenon to be seen on the shore of Mississippi Sound is described in these words:

"In the rectory yard at Biloxi, a giant live oak stands in the majestic beauty of its old age. In the long ago, its young branches twined a circlet that blessed two happy hearts; a circlet that is still distinctly visible, and tells to each passer-by its strange, sweet story of Indian romance.

"A Biloxi chief discovered that his daughter loved the son of another chief—his bitterest enemy. When the young people pleaded their love, he turned from them with flashing eyes, and pointing wrathfully to the young oak above, exclaimed:

" 'No! The young fawn can never be the light of your wigwam until a ring grows in the branches of yonder oak.'

"And then—O, wonder of wonders!—during the succeeding night, a terrific storm twisted the young branch into a distinct ring, that grew as firm as the tree itself. The terrified old chief felt that nature commanded a blessing that he dared not refuse.

For what could have worked such a marvel but the touch of the dreaded Thunder Being"?

THE LEGEND OF PUSHMATAHA'S BIRTH

Pushmataha was the greatest chief of the Choctaws. He was unfailingly reticent about his ancestors on account of his lowly birth. At a meeting of his tribe with some missionaries on being asked to give an account of his birth the chief with great dignity arose and is said to have told this wonderful story of his origin. The quotation is taken from the *Life of Apushimataha* by Dr. Gideon Lincecum in Volume IX of the Publications of the Mississippi Historical Society.

"It was a long time ago; at the season when the glorious sun was pouring down his brightest, balmiest and greatest life-giving influence; when the gay flowers, bedecked in their most gorgeous habiliments, were sweetest, brightest and most numerous; when the joyous birds in full chorus were chanting their gleeful songs of life and love, full of inspiration; when all nature seemed to quiver in rapturous emotion. 'Twas noon. The day was calm and fair and very pleasant. There was a beautiful wide spreading plain, with but few trees on it. One there was of a giant size and venerable age. It was a red oak, and its dark waving branches, overshadowing an immense area of the beautiful green plain, had bid defiance and braved unscathed the storms of many winters. There it stood, vast in its proportions, calm in its strength, majestic in its attitude. It had witnessed the rise and fall of many generations of animal life. But everything must have its time, fulfill its destiny. That magnificent red oak, the prominent feature on that far reaching landscape, as it had been for centuries, had not accomplished the object for which the Great Spirit had planted it. There it was in full foliage, casting its dark, widely spreading shadow upon the sunlit plain. All nature was clad in smiles of joy on that bright day. Anon a cloud was rising in the west, a black, angry, threatening cloud, looming upwards and rapidly widening its scowling front. Harshly grumbling as it whirled its black folds onward, nearer and nearer, very soon it overspread the whole heavens, veiling the landscape in utter darkness and appalling uproar. It was a sweeping tornado, fringed with forked lightning, thunders rolling and bellowing; the winds fiercely howled and the solid earth trembled. In the

height of this confusion and war of elements a burning flash of fire gleamed through the black obscurity. A shattering crash, followed by a burst of terrific thunder that, heavily rumbling through the surging storm, seemed to shake down the humid contents of the fast rolling cloud in irresistible torrents. Awful sounds assailed the startled senses in all directions as the frightful tornado swiftly swept by in its devastating course. Soon it passed and all was calm again. The sun poured down his beaming rays in their wonted brilliancy; but the vast, time honored sylvan king, the red oak, had been shivered into fragments; its odd-shapen splinters lay widely scattered on the rain-beaten plain. Not a vestige remained to mark the spot where once stood that towering tree. Not even a snag of the stump remained. The object of its creation was accomplished, and in its place there was a new thing under the sun! Shall I name it? Equipped and ready for battle, holding in his right hand a ponderous club, standing erect on the place of the demolished red oak, was your dauntless chief, 'Apushimataha.' "

ELOQUENCE OF MISSISSIPPI INDIANS

Much has been written about the gift of oratory of the American Indian, but many of the speeches attributed to him had their origin in the highly poetic imagination of local historians, and much wit and humor have been directed at the fancy of these imaginative gentlemen. In spite of this, however, there is official documentary evidence that the American Indian was an orator of no mean parts and that he did deliver eloquent speeches, which were taken down at the time of their delivery by official interpreters employed for the purpose of recording the full proceedings of congresses and conferences and treaty discussions between the Indians and the French, English, Spanish and Americans. All the speeches given here were really delivered and are recorded as translated into English by the official interpreters, with the exception of the speech of the Natchez chief, which is taken from Dupratz' *History of Louisiana.*

NATCHEZ INDIAN ELOQUENCE, SPEECH OF AN OLD CHIEF

At the council of the Natchez in 1729 which planned the general massacre of the French at Fort Rosalie, the Great Sun, seeing all the old men and chiefs assembled, said:

'You have all had time to reflect on the proposition I made you; and so I imagine, you will soon set forth the best means, how to get rid of your bad neighbours without hazard."

The Sun having done speaking, the oldest rose up, saluted his chief after his manner, and said to him:

"We have a long time been sensible, that the neighbourhood of the French is a greater prejudice than benefit to us: we, who are old men, see this; the young see it not. The wares of the French yield pleasure to the youth; but in effect to what purpose is all this, but to debauch the young women, and taint the blood of the nation, and make them vain and idle? The young men are in the same case; and the married must work themselves to death to maintain their families, and please their children. Before the French came amongst us, we were men, content with what we had, and that was sufficient; we walked with boldness every road, because we were then our own masters; but now we go groping, afraid of meeting thorns, we walk like slaves, which we shall soon be, since the French already treat us as if we were such. When they are sufficiently strong, they will no longer dissemble. For the least fault of our young people, they will tie them to a post and whip them, as they do their black slaves. Have they not already done so to one of our young men; and is not death preferable to slavery? What wait we for? Shall we suffer the French to multiply, till we are no longer in a condition to oppose their efforts? What will the other nations say of us, who pass for the most ingenious of all the Red men? They will then say, we have less understanding than other people. Why then wait we any longer? Let us set ourselves at liberty, and show we are really men, who can be satisfied with what we have. From this very day let us begin to set about it, order our women to get provisions ready, without telling them the reason; go and carry the Pipe of Peace to all the nations of this country; make them sensible, that the French, being stronger in our neighbourhood than elsewhere, make us, more than others, feel that they want to enslave us; and when become sufficiently strong, will in like manner treat all the nations of the country; that it is their interest to prevent so great a misfortune; and for this purpose they have only to join us, and cut off the French to a man, in one day and one hour; and the time to be that, on which the term prefixed and obtained of the French Commandant, to carry him the contribution agreed on, is

expired; the hour to be the quarter of the day (nine in the morning;) and then several warriors to go and carry him the corn, as the beginning of their several payments, also carry with them their arms, as if going out to hunt; and that to every Frenchman in a French house, there shall be two or three Natchez; to ask to borrow arms and ammunition, for a general hunting-match, on account of a great feast, and to promise to bring them meat; the report of the firing at the Commandant's, to be the signal to fall at once upon, and kill the French. That then we shall be able to prevent those, who may come from the old French village, (New Orleans) by the great water (the Mississippi) ever to settle here."

CHOCTAW INDIAN ELOQUENCE, SPEECH OF ALIBAMO MINGO

Alibamo Mingo for many years was the great chief of the Choctaw Nation. At a congress held March 26, 1765, between Governor George Johnston and the Choctaw and Chickasaw Nations, Alibamo Mingo delivered the following address:

"You Favre have always heard me speak in every assembly, since you were a boy, but now that I am old, without teeth, half blind, and all the race convened to give their sentiments, perhaps it may not be proper for me to speak. Nevertheless I feel myself so fired with the occasion that I cannot refrain.

"I am of the great race of Ingulacta, I am master of the whole Choctaw Nation by birth, by long employment and by long experience it is to me to give instruction to the rest, I have made alliance with the other race of Imongulacha, and we have agreed that our talk should be one, I heard the words of the chiefs with great attention, and when I really found they came here to make any brothers happy I wished for my eyes and my ears and my teeth again.

"When I was young the white men came amongst us bearing abundance along with them, I took them by the hand and have ever remained firm to my engagements, in return all my wants and those of my warriors and wives and children have been bountifully supplied. I now see another race of white men come amongst us bearing the same abundance, and I expect they will be equally bountiful which must be done if they wish equally to gain the affection of my people.

"I and my men have used the guns of France these eighty winters back, I wish I was young to try the English guns and English

powder both of which I hope will flourish and rejoice the heart of the hunters through the land and cover the nakedness of the women.

"With respect to the land I was not consulted in it, if I was to deliver my sentiments evil disposed people might impute it to motives very different from those which actuate me, it is true the land belongs chiefly to those who have given it away; that the words which were spoken have been written with a lasting mark, the Superintendant marks every word after word as one would count bullets so that no variation can happen, and therefore the words have been spoken and the eternal marks traced I will not say anything to contradict, but, on the contrary confirm the cession which has been made. What I have now to say on that head is, to wish that all the land may be settled in four years that I may see it myself before I die.

"I listened to all the parts of the talks and liked them exceedingly well, except that part from the Superintendant, where he reported that those medal chiefs who did not behave well should be broke and their medals given to others. The conversation I have held with Favre, in private, has rung every night in my ear, as I laid my head on the bear skin and as I have many enemies in the nation, I dreamed I should be the person, which would break my heart in my old age, to lose the authority I have so long held.

"I cannot imagine the Great King could send the Superintendant to deceive us. In case we deliver up our French medals and commissions we expect to receive as good in their place, and that we should bear the same authority and be entitled to the same presents. If you wish to serve your old friends you may give new medals and commissions and presents, but the worthy cannot bear to be disgraced without a fault, neither will the generous inflict a punishment without a crime.

"There was one thing I would mention tho it cannot concern myself, and that is the behavior of the traders towards our women. I was told of old by the Creeks and Cherokees, whereever the English went they caused disturbances for they lived under no government and paid no respect either to wisdom or station. I hoped for better things, that those old talks had no truth in them. One thing I must report which has happened within my own knowledge, that often when the traders sent for

a basket of bread and the generous Indian sent his own wife to supply their wants instead of taking the bread out of the basket they put their hand upon the breast of their wives which was not to be admitted, for the first maxim in our language is that death is preferable to disgrace.

"I am not of opinion that in giving land to the English, we deprive ourselves of the use of it, on the contrary, I think we shall share it with them, as for example the house I now speak in was built by the white people on our land, yet it is divided between the white and the red people. Therefore we need not be uneasy that the English settle upon our lands as by that means they can more easily supply our wants."

SPEECH OF PUSHMATAHA

At a congress held at Doak's Stand, October 8, 1820, between Generals Andrew Jackson and Thomas Hinds and the Choctaw Indians, the following speech was made by Jackson in reply to the Choctaw chief Pushmataha, known as the greatest friend to the whites among the Indians of the Mississippi section:

"Brother Push, you have uttered some hard words. You have openly accused me of misrepresentation and indirectly of the desire to defraud the red people in behalf of my government. These are heavy charges, charges of a very serious character. You must explain yourself in a manner that will clear them up or I shall quit you."

Pushmataha arose, took the speakers' stand very deliberately and casting his eyes, which were now beaming with the light that fired his great soul, upon his audience, said:

"As men grow older, especially great men, enthralling themselves with much business on the field of growing fame, they become impatient and irritable. They dare not stop on the path of their rushing and varying necessities to parley with the ignorant. They must make short work with all such obstructions. There is no honor in permitting the feeble or the foolish he may meet in his precipitate course to pass. No allowance is to be made or forgiveness offered for him. He must yield to the mere say so of the warily moving seeker of fame or be crushed. I have been making observation on that cast of character a long

time, and find but little difference in their public action. In their private intercourse the whole thing is changed.

"My great friend, General Jackson, who familiarly calls me brother, whom my inner soul loveth, and in whose presence I always felt myself a mere boy, has become excited at some of my remarks, and has hastily called on me to explain them, and that explanation must be satisfactory or he will 'quit us,' the meaning of which, as I suppose, is that should I fail to make the *amende honorable* he returns to his government and informs them that the insulting obstinacy of the Choctaw people is such that an honorable treaty cannot be negotiated with them. Then comes the horrors of war against us. All I have to say about it is that I hope they will have the good sense and the justice to put it upon those only who have raised the fuss to do the fighting. It would indeed be a great error in the justice of any government to involve the innocent inhabitants of two nations in the ruinous consequences of war on account of a misunderstanding betwixt two of their ministers.

"You gentlemen, General Jackson and General Hinds, are filling, as I understand from the letter you read before the council yesterday, the place of commissioners from the government of the United States to hold a treaty for certain purposes with the people of the Choctaw country. Am I right?" and both the generals nodding assent, Pushmataha resumed and said: "I informed you in the outset, which I here repeat, that I occupy the same position. I, too, have been appointed by my government as commissioner to hold a treaty through you gentlemen with your people. I am therefore your equal, as far as appointment can make us so. I have already recognized your appointment and authority as being in all respects on an equal basis with my own. You, gentlemen, must reciprocate." And he seated himself on the bench with the commissioners, looking remarkably sedate.

General Jackson, in a remarkably good humor, rose and said: "General Pushmataha, in all respects in this treaty we acknowledge you to be vested with powers equal to ourselves and precisely on the same footing in relation to your country that we are to ours. You shall have no complaint to make against us in that respect. And now, as we are all equals, not of our own creation, but by the appointment of our respective nations, you are in a

condition to go on and explain wherein I have misrepresented any fact in the propositions I have made in the name of my government. The nature of our position demands it, and we expect it from you."

Pushmataha said: "I shall take much pleasure in my explanation to render a plain and irrefutable interpretation of what I have said, and I will present in a very clear light the misrepresentations in relation to the quality of the country west of the Mississippi and the size of the country outside of the great river by my highly esteemed friend.

"In the first place he speaks of the country he wishes to obtain in the swap as 'a little slip of land at the lower part of the present Choctaw nation,' whereas it is a very considerable tract of country. He has designated the boundaries of it himself, and I am very familiar with the entire tract of land it will cut off from us. In the second place, he represented the country he wishes to exchange for the 'little slip of land' as being a very extensive country 'of tall trees, many water courses, rich lands and high grass, abounding in game of all kinds—buffalo, bear, elk, deer, antelope, beaver, turkeys, honey and fruits of many kinds,' I am also well acquainted with that country. I have hunted there often, have chased the Comanches and the Ovashsashi over those endless plains, and they have sometimes chased me there. I know the country well. It is indeed a very extensive land, but a vast amount of it is exceedingly poor and sterile, trackless, sandy deserts, nude of vegetation of any kind. As to tall trees, there is no timber anywhere except on the bottom lands, and it is low and boukey even there. The grass is everywhere very short, and for the game it is not plenty, except buffalo and deer. The buffalo in the western portion of the tract described and on the great plains into which it reaches are very numerous and easily taken; antelope, too, are there and deer almost everywhere except in the dry, grassless, sandy deserts. There are but few elks, and the bear are plenty only on Red River bottom lands. Turkeys are plentiful on all the water courses. There are, however, but few beavers, and the honey and fruit are rare things. The bottoms on the rivers are generally good soil, but liable to inundation during the spring season, and in summers the rivers and the creeks dry up or become so salt that the water is awful for use. It is not at these times always salt, but often

bitter, and will purge a man like medicine. This account differs widely from the description given by my friend yesterday and constitutes what in my reply to him I styled a misrepresentation. He has proven to me by that misrepresentation and one egregious error that he is entirely ignorant of the geography of the country he is offering to swap, and therefore I shall acquit him of an intention at fraud. The testimony that he bears against himself in regard to his deficiency of a knowledge of the geography of that far off country manifests itself in the fact that he has offered to swap to me an undefined portion of Mexican territory. He offers to run the line up the Canadian River to its source and thence due south to Red River. Now I know that a line running due south from the source of the Canadian would never touch any portion of Red River, but would go into the Mexican possessions beyond the limits even of my geographical knowledge."

SPEECH OF COLONEL COBB

The following speech of Colonel Cobb, head mingo of the Choctaws east of the Mississippi, was delivered at a conference held in 1837 in reply to the agent of the United States:

"Brother: We have heard your talk as from the lips of our father, the great White Chief at Washington, and my people have called on me to speak to you. The Red Man has no books, and when he wishes to make known his views, like his fathers before him, he speaks it from his mouth. He is afraid of writing. When he speaks, he knows what he says; the Great Spirit hears him. Writing is the invention of the pale-faces; it gives birth to error and to feuds. The Great Spirit talks—we hear him in the thunder; in the rushing winds and the mighty waters —but he never writes.

"When you were young we were strong; we fought by your side; but our arms are now broken. You have grown large. My people have become small.

"My voice is weak; you can scarcely hear me; it is not the shout of a warrior, but the wail of an infant. I have lost it in mourning over the misfortunes of my people. These are their graves, and in those aged pines you hear the ghosts of the departed. Their ashes are here, and we have been left to protect them. Our warriors are nearly all gone to the far country west;

but here are our dead. Shall we go, too, and give their bones to the wolves?

"Two sleeps have passed since we heard your talk. We have thought upon it. You ask us to leave our country, and tell us it is our Father's wish. We would not desire to displease our Father. We respect him, and you, his child. But the Choctaw always thinks. We want time to answer.

"Our hearts are full. Twelve winters ago our chiefs sold our country. Every warrior that you see here was opposed to the treaty. If the dead could have been counted, it would never have been made; but alas! though they stood around, they could not be seen nor heard. Their tears came in the rain-drops and their voices in the wailing wind, but the pale-faces knew it not, and our land was taken away.

"We do not now complain. The Choctaw suffers, but he never weeps. You have the strong arm and we cannot resist. But the pale-face worships the Great Spirit. So does the Red Man. The Great Spirit loves truth. When you took our country, you promised us land. There is your promise in the book. Twelve times have the trees dropped their leaves, and yet we have received no land. Our houses have been taken from us. The white man's plough turns up the bones of our fathers. We dare not kindle our fires; and yet you said we might remain and you would give us land.

"Is this truth? But we believe now that our Great Father knows our condition—he will listen to us. We are as mourning orphans in our country; but our Father will take us by the hand. When he fulfills his promise, we will answer his talk. He means well. We know it. But we cannot think now. Grief has made children of us. When our business is settled we shall be men again, and talk to our Great Father about what he has proposed.

"You stand in the moccasins of a great Chief; you speak the words of a mighty nation, and your talk was long. My people are small; their shadow scarcely reaches to your knee; they are scattered and gone; when I shout I hear my voice in the depths of the woods, but no answering shout comes back. My words, therefore, are few. I have nothing more to say, but to tell what I have said to the tall Chief of the pale-faces, whose brother stands by your side."

CHICKASAW INDIAN ELOQUENCE, SPEECH OF PAYA MATTAHA

A speech delivered by Paya Mattaha, Great Leader of the Chickasaw Nation, at a congress held March 26, 1765, between the Governor of West Florida as the representative of England and the Choctaw and Chickasaw Nations, was recorded as follows:

"My heart and the Superintendant's are as one, it is well known I never deserted the British interest, and I never will. Though I am a Red Man my heart is white from my connections with and the benefits I have received from the white people, I almost look upon myself as one of them.

"I cannot have much to say to my white brethren; my inclination and sentiments are well known to them; I never shut my ears to their talks; I have always followed their directions.

"My mind has always been unchanged; I can therefore have little to say to you, the Governor and Superintendant, but I will speak to my younger brethren the Choctaws and you will hear me.

"The talks which you delivered me from the Great King are good and such as I expected. I am now going to speak. You will consider that I am a warrior and not accustomed to make long speeches. You will, therefore, not expect a fine speech from me." (Addressing himself to the Choctaws.)

"My Younger Brothers:

"I now speak to you and desire you will listen with attention to the talks of the Governor and Superintendant. I have always done so, and the English have always supported me in my distress and never deserted or deceived me.

"The talks we have heard at this meeting have determined me to speak to you in a friendly manner; I shall not, therefore, call to mind old affairs. Let what is past be buried in oblivion, and let us only now think of what is to come. Some of you were always my friends and supported the interest of the English in your nation. The Red Captain and Chulustamastabe were of the same sentiments with me, they went to visit the English and the treatment they received confirmed their attachment to me, for it was by my advice that they undertook the journey at the risk of their lives, yet they did not repent of having performed it.

"While the French were in this land, division and discord reigned in your country; you fought and killed each other; but now look around and see peace and plenty. You are all children of one family and have but one father, who admonishes and orders you to live in unity and love each other. Let us now return to our village hand in hand rejoicing and carrying with us the presents of our elder brothers.

"The talk which I hold in my hand is from the Great King of England; it was delivered me at Augusta by the Superintendant. The orders of the Great King I have always considered as the rule of my actions, and I will continue so to do. The papers which I hold in my hand contain his orders, transmitted me by the Superintendant, which I punctually obeyed. I again admonish you to pay the greatest attention to what the Governor and Superintendant have recommended to you. I have seen their talks sent into the Creeks and other nations which have always tended to promote the good of the Red People. I have no more to say, but as I have delivered my sentiments without disguise, I desire a note may be made of what I have said."

CREEK INDIAN ELOQUENCE, SPEECH OF YAHATASTONAKE

At a congress held by Governor George Johnstone and the head chiefs of the Creek Indians at Pensacola, May 27, 1765, Yahatastonake, called Le Loupe by the French and The Mortar by the English, addressed the congress as follows:

"The admiral, whom I look upon as a head warrior of the great king, has already spoken, so has my head warrior, Emistisiguo.

"It has pleased the Great Spirit to ordain that I should meet the Governor and Superintendant here this day and therefore I will now deliver my sentiments to them.

"This is the land of the red people and but very poor; these white wings are emblems of peace, which I now present you, untainted and spotless, as marks of my really good and friendly intentions; and henceforward you shall hear of no act of mine which does not tend to promote friendship and harmony. My warriors are stripped of their warlike implements, which are now all buried in oblivion, and white talks daily increase in the nation.

"I am the voice of my people who are all to abide by what

I say or do. I am determined that the path shall not only be made white and straight here but everywhere. I am King and made such in order to preserve peace and good order in my nation, and I now look upon the surrounding white nations as all united and children of the same family; and as I shall use my utmost endeavors to regulate and direct my young people to do nothing but what is friendly and right, I hope my elder brothers will take the same steps in their country.

"I understand the Superintendant is going away to the northward. I have therefore held many talks with the Cherokees, Chickasaws, and other nations, but shall henceforward listen to none but the English.

"I have left many warriors behind in my nation, as well as women and children, all whom I expect to find peaceable and happy at my return; and when I have conversed with them, you shall hear from me; but at present it would avail nothing for one to pretend to talk about land, or where a boundary line should be fixed, as my people are not all here.

"The talks are now all made white and good between us and the white people; and friendship, which is at present but in its infancy, will daily increase and soon grow up, and then when empowered by the consent of my whole nation, I shall soon settle all matters of boundary and other differences with the English."

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CHAPTER IV

SPANISH EXPLORERS

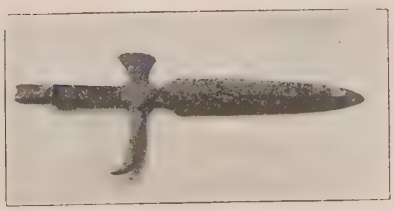
EXPEDITION OF HERNANDO DE SOTO—LANDING AT TAMPA—FIERCE BATTLE OF MAUVILLE—BATTLE OF CHICACA—SPANIARDS REACH AND CROSS THE MISSISSIPPI.

For many years after the discovery of the western hemisphere by Columbus, Spain and the other strong nations of Europe sent many expeditions to explore it, but the explorers who especially interest students and readers of Mississippi history are those who established the continuity of a vast north and south valley, which was in the coming centuries to be the abode of a great people. When these had roughly located the Father of Waters from the falls of St. Anthony on the north to the mouth of the Espiritu Santo of the Spaniards on the south they had already performed a mighty work the marvelous results of which they themselves could not foresee, though it was a visionary day in the history of mankind.

EXPEDITION OF HERNANDO DE SOTO

First to leave his impression—historically at least—upon the great lower valley, was Hernando de Soto, who with his army of conquest marched and fought his way in a gallant, erratic fashion through portions of many of the present states of the South to the Mississippi River. The glowing narratives of Alvar Nuñez, who had escaped the disaster that had overtaken an expedition in 1528, had not lost color, with the years. It was a day of daring and adventure and the ambitious, but for the most part impractical, associate of Pizarro in the conquest of Peru was eager to acquire the same fame in Florida which his illustrious leader had earned in South America and Cortez had acquired in Mexico. Ponce de Leon, Vasquez, Narvaez and other explorers of the Spanish main lying along the Atlantic Ocean and the Gulf of Mexico had met with misfortune, suffering and death, yet had

HERNANDO DE SOTO



SPANISH HALBERT

Reputed to be a relic of the De Soto Expedition through Mississippi in 1540, found in Lowndes County

never failed to proclaim their faith in the riches of the aboriginal kingdoms of the interior; and the natives themselves had assiduously encouraged that belief in order to draw the Spaniards far inland and wear away their forces by fatigue, disease and slaughter.

In 1537 De Soto, who was also to become an explorer of marvelous exploits and tragic disasters, obtained a royal grant of Florida as claimed by Spanish discovery, exploration and temporary occupancy. He was required to conquer and occupy the grant within a year, erect fortresses and carry over at least 500 settlers to hold the country. Provision was also made for a division of the gold, pearls and other valuables of the conquered caciques, or chiefs, for the maintenance of the Christian religion and of a hospital. Charles V, Emperor of Spain, conferred upon De Soto the title and office of Governor and Captain-General of Cuba and Florida, and on April 6, 1538, his expedition set sail from Spain amid unusual exhibitions of public transport. The armament left port in ten vessels, bearing nearly a thousand of the most adventurous and chivalric young men of Spain and Portugal, most of whom were cavaliers and soldiers of fortune. It was accompanied by a fleet of twenty-six sail bound for Mexico.

LANDING AT TAMPA

De Soto, who was clothed with absolute authority, both civil and military, spent several months in Cuba arranging the affairs of his administration. On May 18, 1539, leaving his young wife Isabella in the port of Havana, he sailed and the expedition arrived at Espiritu Santo (Tampa) Bay on May 30th. Immediate preparations were made to disembark. The Governor and commander at that time had with him a force of six hundred and twenty chosen men with which to found his empire in Florida. These were clad in shining armor and armed with the best weaponry that military Spain afforded at that day, including crossbows, swords, lances, 18 harquebuses, and a heavy ordnance. The sight struck terror to the hearts of the natives, who recalled the cruelties of Narvaez and De Ayllon.

On their richly caparisoned war horses which were also like themselves covered with steel the Spaniards marched first through the wilds of east Florida and southwest Georgia harassed by the natives at nearly every turn and from ignorance of the coun-

try led into dismal swamps and forests. Other portions of Georgia and South Carolina were traversed in haphazard fashion.

During this journey in his travels much is related of De Soto's cruel treatment of the Indians, but having once offended them by a lack of good will as they deemed it and which cannot be denied, it was now a question as to which would survive the fierce conflicts that ensued. Wholly unnecessary seemed the affair quite early in his expedition in the country of Vitachuco where ostensibly in a friendly contest De Soto permitted his men to attack the Indians in earnest and kill five hundred, to later murder in cold blood hundreds of those whom he had taken prisoners. After further vain searches for gold in the Apalachee country which to reach he was compelled to cross extensive areas of swamp and morass he established his headquarters in the deserted town of Anhayca. He now instructed his ships to bring supplies from Havana to Achusi Bay (Pensacola) which upon the recommendation of one of his trusted lieutenants he decided was a safer harbor than the one at the village of Aute where the fleet was anchored.

Still in search of the precious metal he was determined to visit the Province of Cofachique, where he had been told it was to be found in great quantities. Here the Indians—who were under the rule of a female cacique said to be beautiful—received him with much friendliness. But the kindly welcome of the forest queen did not prevent the greedy Europeans from sacking the place of its jewels and sacred relics. De Soto, always dominating his troops, continued to traverse the country, reaching the village of Coosa in the present state of Alabama about August 1, from which point he had hoped to march to meet his ships at Achusi Bay. Affairs however took a dreadful turn with the expedition. While he yet remained near the village of Coosa occurred what is recorded as the most disastrous battle of his march. His equipment already injured by distressing marches over swamps and through forests, and by numerous bloody encounters with the Indians, he was now to meet with a more terrible disaster.

BATTLE OF MAUVILLA

It was at the town of Mauvilla—which is sometimes spelled Mavilla by some writers and Maubila by others—that he met the fierce chief Tuscaluza in his own country. Mauvilla was situated on the north bank of the Alabama, at what is now Choctaw bluff,

Coldwater River, near the Ford where De Soto Crossed

View of the Border of the Lowlands

Buck Island Bayou, near the Indian Trail Traveled by De Soto

The Bluffs Bordering the Bottom

SCENES ALONG THE ROUTE OF DE SOTO IN TUNICA COUNTY

Clarke County. The Indians fought bravely and several times drove the Spaniards from their town, but De Soto's horsemen and infantry finally prevailed and set fire to the village. It is said, in one account of the battle, that about 2,500 Indians perished altogether and that the Christians lost a number of their men. Of the fatalities a brother-in-law and a nephew of De Soto perished. In the carnage there were 150 wounded and twelve horses slain. The Christians also lost their service with which to say mass and the pearls which they had gathered in their travels. The battle of Mauvilla was fought in October, 1540. It raged for more than five hours in the burning town and the surrounding plain. Monette, in another account of the battle that is here condensed from the history written by "A Gentleman of Elvas," describes it as follows:

"It was the most sanguinary, considering the number of combatants, that had occurred among the discoverers of the New World. Forty-two Spaniards fell dead in the conflict. Eighteen of them received their fatal wounds either in the eyes or the mouth; for the Indians finding their bodies cased in armor aimed at their faces. Scarce one of the Spaniards but was more or less wounded, some of them in many places. Thirteen of the wounded died before the wounds could be dressed, and twenty-two afterward; so that in all eighty-two Spaniards were slain. To this must be added the loss of forty-two horses, killed by the Indians and mourned as if they had been so many fellow-soldiers. * * *

"It is worthy of remark that the Indians used bows of great size and strength. So heavy were they that often, when closely pressed, they would use their bows as clubs over the heads of the Spaniards with such effect as to cause the blood to flow freely through their casques. The arrows were driven with great force so as often to inflict severe wounds through their coats of mail, and in some instances to penetrate through the eyes and mouth and out at the back of the head. Horses that were unprotected were covered with wounds and many of them pierced through the body or to the heart.

"It may appear strange," Monette continues, "that the Indians engaged around the stronghold of Mauvilla were so numerous; but these warriors were collected from all the confederated tribes of south Alabama and Mississippi as well as Florida, and at a time when these tribes were far more populous than they

have been within the past century. The occasion, too, was one of the most momentous which had occurred in their history, and which called the warriors from the most distant nations to make common cause against a common enemy.

On the arrival of the Spaniards, who had induced the great chief Tuscaluza to join them in their expedition, with the design of capturing him, runners had been dispatched by the Indians to the warriors of many nations urging them to meet at Mauvilla, hence the strong resistance that met De Soto at that place. Though they had clothed him in shining armor and mounted him on a superb war horse, with a primitive instinct that took the place of more cultured mental power the wily old chief sensed danger in the too lavish display of friendship on the part of the bold and easy De Soto, who in all his dealings with the natives underestimated their ability for seeing through his designs.

The result of the battle of Mauvilla was a costly victory for De Soto, as his fighting force had been dangerously weakened and he was obliged to remain on the site of the bloody conflict for nearly a month to treat his wounded men and horses and to generally recuperate. It was also a terrible experience and a blow which caused general dissatisfaction not to say alarm among the Spaniards, though it served to make it extremely difficult for them to rebel unless as a whole. Fearing that they might become disgusted with the expedition and return home, their adventurous leader instead of marching south to meet his ships on the coast plunged into the unknown country to the northwest, more determined than ever to reach the desired lands that he believed lay to the west and in which he still hoped to realize his ambitions.

From the various accounts written of De Soto's subsequent wanderings and struggles in Mississippi, all of which invest him with a courage largely of a reckless nature, the expedition which had sought the elusive gold and other precious spoils for eighteen months now crossed the Tombigbee River on December 16, 1540. The crossing was made in an improvised pirogue and the journey though made over difficult ground was so far successful. At night the Spaniards reached the town of Chicaca in what is now Pontotoc County and there spent the winter 1540-41. The weather was then cold and snowy and the men suffered much both before

View of the Mississippi River near the Point of Discovery.

View of De Soto Mound looking from the West

View of Morass east of the Mounds at which were Located the Indian Villages

SCENES ALONG THE ROUTE OF DE SOTO IN TUNICA COUNTY

and after they had built houses for themselves and sheltered their horses.

BATTLE OF CHICACA

Outwardly the Indians were friendly and gave the Spaniards a number of mantles and skins. The Europeans were not sufficiently clothed however and ignoring De Soto's counsel that was beginning to be of a more discreet nature seized various goods from the Indians. Despite their leader's efforts to beguile the savages his camp was fired and attacked by the Indians in March, 1541. A number of his men and horses were killed, most of his saddles and weapons were burned, and four hundred hogs which had been collected for food were consumed in the flames. A pathetic incident occurred here that is worth relating, as it clears up the often discussed question as to whether there were any women with the De Soto expedition. In all the erratic, tortuous journey, according to Bernard Shipp, a scholarly investigator and translator of original records of the expedition, only one Spanish woman was brave enough to take part, she being Francisca Henetrosa, the faithful wife of Fernando Bontista who had accompanied him from Spain. Beloved by the whole army and about to become a mother, she perished in the flames during the unexpected battle of Chicaca, deplored by all, who were "sensibly grieved," the narrative records, over her sad fate.

De Soto, whose fortitude was of the sternest character, was obliged to temper the swords which had been in the flames, and to make crossbows, lances and saddles, before the march could be resumed. The expedition, which had suffered almost as much damage as it did at Mauvilla, left Chicaca, or Chicacilla, on the 25th of April, and on the following day came to a savannah defended by a force of Indians under Alabamo or Alibamu. The stock of maize upon which the Spainards so largely depended for food was low and De Soto sent some of his men toward the palisade which the Indians had erected to seek provisions of the natives. This was deemed especially necessary, as some Indians whom he had captured had informed the Governor that he was soon to pass a desert of seven days' journey. But instead of obtaining succor the Spaniards were obliged to storm the fort at a cost of a number of their men both killed and wounded. This fort is believed to have been on the Tallahatchie River,

possibly in the neighborhood of New Albany, Union County. The seven days' journey mentioned by the Indian prisoner was not through a flat desert of scant vegetation, but through a level country, as he continued westward, of many marshes and thick woods, such as are found in northwestern Mississippi.

SPANIARDS REACH AND CROSS THE MISSISSIPPI

The Spaniards on Sunday, May 8th, according to Ranjel, who was with the expedition, arrived at the first town in the Indian province of Quisquis, which they occupied. But as there was little maize there, De Soto moved his forces to another village half a league from the Mississippi River, where there was an abundance of grain. The Portuguese "Gentleman of Elvas," a member of the expedition, wrote of De Soto:

"He went to see the river and found that near unto it was a great store of timber to make barges and good situation of ground to encamp in. Presently he removed himself thither. They made houses and pitched their camp in a plain field a crossbow-shot from the river. And thither was gathered all the maize of the towns which they had lately passed. They began presently to cut and hew down timber and to saw planks for barges. The Indians came presently down the river. They leaped on shore and declared to the Governor that 'they were subjects of a great lord whose name was Aquixo, who was lord of many towns and governed many people on the other side of the river, and came to tell him on his behalf that the next day he, with all his men would come to see what it would please him to command him.'

"The next day, with speed, the cacique came with two hundred canoes full of Indians with their bows and arrows, painted and with great plumes of white feathers and many other colors, with shields in their hands wherewith they defended the rowers on both sides; and the men of war stood from the head to the stern with their bows and arrows in their hands. The canoe wherein the cacique was had a tilt over the stern, and he sat under the tilt and so were other canoes of the principal Indians. And from under the tilt where the chief man sat, he governed and commanded the other people.

"All joined together and came within a stone's cast of the shore. Then the cacique said to the Governor, which walked along the river's side with others that waited on him, that he

was come thither to visit, to honor and to obey him, because he knew he was the greatest and mightiest lord on the earth; therefore he would see what he would command him to do. The Governor yielded his thanks and requested him to come on shore that they might the better communicate together. And without any answer to that point, he sent him three canoes, wherein were great store of fish and loaves made of the substance of prunes like bricks. After he had received all he thanked him and prayed him again to come on shore. And because the cacique's purpose was to see if with dissimulation he might do some hurt, when they saw that the Governor and his men were in readiness they began to go from the shore; and with a great cry the crossbow-men which were ready, shot at them and slew five or six of them. They retired with great order. None did leave his oar, though the next to him were slain, and, shielding themselves, they went farther off. Afterwards they came many times and landed, and when any of us came toward them they fled into their canoes; which were very pleasant to behold, for they were very great and well made, and had their tilts, plumes, *paueses* and flags and, with the multitudes of people that were in them, they seemed to be a fair army of galleys.

"In thirty days space while the Governor remained there, they made four barges; in three of which he commanded twelve horsemen to enter, in each of them four. In a morning, three hours before day, men which he trusted would land in despite of the Indians and make sure the passage or die, and some footmen, being crossbow-men, went with them, and rowers to set them on the other side. And in the other barge he commanded John de Guzman to pass with the footmen, which was made captain instead of Francisco Maldonado. And because the stream was swift, they went a quarter of a league up the river along the bank and, crossing over, fell down with the stream and landed right over against the camp. Two stones' cast before they came to land, the horsemen went out of the barges on horseback to a sandy plot of very hard and clear ground, where all of them landed without any resistance. As soon as those that passed first were on land on the other side, the barges returned to the place where the Governor was; and within two hours after sun rising all the people went over.

"The river was almost half a league broad. If a man stood

still on the other side it could not be discerned whether he was a man or no. The river was of great depth and of a strong current. The water was always muddy. There came down the river continually many trees and timber, which the force of the water and stream brought down. There was great store of fish in it of sundry sorts, and most of it differing from the fresh water fish of Spain."

Thus De Soto and his men reached and crossed the Mississippi, which, with a jaunty return of his old spirit he named El Rio Grande de la Florida. His wanderings west of it, his pathetic death on its farther shores a year after he discovered it, his burial in its waters and the miserable fate of the few who remained of the gallant expedition which sailed from Spain in 1538, have given the state of Arkansas a glowing page of early history. The expedition, he himself says, was undertaken in the name of God, and the fact that he brought priests with him indicates that he had some thought of christianizing the land.

The exploration from the time he landed at Tampa, Florida, until his death on May 21, 1542, has been variously described by many historians and has also been the subject of epic poetry. The point at which he discovered the river too has been a subject of controversy, but the weight of historical evidence seems to prove conclusively that De Soto discovered the river about thirty miles below Memphis, in what is now the county of Tunica, Mississippi. See *De L'Isle's map*, made in 1718, the *Mitchelle map*, as given by Barnard Shipp's *De Soto and Florida*, the map which appears in Channing's *History of the United States*, and the one used in Bourne's *Spain in America*, the original narratives of the De Soto expedition and the later commentators, Bancroft, Monette, Channing, Bourne, McCullah, Lewis and Fortier.

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CHAPTER V

FRENCH EXPLORERS

MARQUETTE AND JOLIET—ROBERT CAVALIER DE LA SALLE—LA SALLE, THE FATHER OF THE MISSISSIPPI—LA SALLE AND TONTI AT THE MOUTH OF THE MISSISSIPPI—FRANCE CLAIMS THE VALLEY OF THE MISSISSIPPI—TONTI—PIERRE LE MOYNE D'IBERVILLE—HIS EXPENDITION—FINDS THE MOUTH OF THE MISSISSIPPI—EXPLORES THAT STREAM—ERECTION OF FORT MAUREPAS AND SETTLEMENT OF OLD BILOXI.

MARQUETTE AND JOLIET

The De Soto expedition supplied little knowledge of real value to the world nor yielded fruit of any kind except as a contribution to the romantic exploits of the day. As a tragic adventure it will always be a stirring and captivating story matching any of mediaeval Spain. For more than one hundred and thirty years thereafter the Mississippi valley was neglected by the great powers, when France awoke to its limitless potentialities and grandeur. Not for gold perhaps but for its equivalent she sent her representatives to explore the land. First came Marquette and Joliet to ascertain the hidden secret of its outlet to the South Sea by way of the great river. Father Marquette was a zealous Jesuit missionary, brave and learned and familiar as were so many of the Recollet friars and priests of that day with the character of the Indians. Joliet, a native of Canada, was educated in a Jesuit college of Quebec and was of a business turn, his extended trade with the Indians giving him a practical acquaintance with their character. Both, though not as heroic as De Soto and his warlike paladins, were well fitted for their special mission. They did not descend the river farther than the mouth of the Arkansas. The news which they there received of enemy Indians and enemy whites in the lower valley of the great river, called by the French Colbert, decided them to turn back. Marquette in his Journal, after taking note of the many wonders

LOUIS XIV, KING OF FRANCE
From a Portrait

of the river in the way of great fish, immense trees, wild animals, flowers and birds, describes the return thus:

"Having satisfied ourselves that the Gulf of Mexico was in latitude 31° 40′ and that we could reach it in three or four days' journey from the Akansea (Arkansas) River, and that the Mississippi discharged itself into it, and not to the eastward of the Cape of Florida, nor into the California Sea we resolved to return home. We considered that the advantage of our travels would be altogether lost to our nation if we fell into the hands of the Spaniards from whom we could expect no other treatment than death or slavery. Besides we saw that we were not prepared to resist the Indians, the allies of the Europeans, who continually infested the lower part of this river. We therefore came to the conclusion to return and to make a report to those who had sent us. So that having rested another day we left the village of the Akansea on the 17th of July, 1673, having followed the Mississippi from the latitude of 42° to 34°."

LA SALLE, THE FATHER OF THE MISSISSIPPI

The name itself of Robert Cavalier de la Salle suggests the chivalrous and romantic, and no one among the great pioneers of the western world is more worthy of being recognized as the father of the Mississippi than this fearless and valiant French adventurer and explorer. Coming of a distinguished family, La Salle was educated as a Jesuit and spent the first ten years of his early manhood as a faithful and earnest member of the Society of Jesus. Then coming to Canada he displayed his remarkable aptitude as a commander of men both white and red, and his ability as a discoverer. The capacity which he evinced in the establishment of Ft. Frontenac and the settlement of the lands adjacent to it (on the present site of Kingston, Canada) induced the king of France to grant him a patent of nobility and a commission to discover the western part of New France, "through which it is probable," says the royal decree, "a road may be found to penetrate to Mexico." The enterprise was to be finished within five years from the time the commission was granted, May 12, 1678. La Salle was privileged to undertake this gigantic task at his own expense, his only recompense being the trade in buffalo skins and the ownership of the forts established, as well as the settlements which should spring up about them.

Colbert, minister of finance to Louis the XIV, urged the establishment of a port for French vessels in the Gulf of Mexico where his people might establish themselves and harass the Spaniards in the countries whence they drew their wealth. With these objects in view La Salle undertook to descend the Mississippi, which Marquette and Joliet had previously explored as far as the Arkansas River. On leaving France in July, 1678, he was accompanied by Chevalier Henry de Tonti, an Italian of much nobility of character. Tonti had been eight years in the military service of his king, had suffered the loss of one of his hands in the Sicilian wars and when La Salle was organizing his expedition of discovery and exploration was seeking employment at court. He was destined to be La Salle's most distinguished lieutenant during the lifetime of his superior, and afterward to become a distinguished figure in the explorations of the lower Mississippi valley.

La Salle did not at once set out on his voyage of discovery down the Mississippi. For three years he explored the Great Lakes, built several forts, collected furs from the Indians and, through the missionaries accompanying him, introduced his religion to the far northern tribes. It appears that he abandoned his far-reaching plan, and that of Colbert, by which he was to establish forts all along the route of his travels. That policy was afterward attempted, but La Salle doubtless decided that it was a large task for one man to even roughly know the great valley from the sources of the Mississippi to its mouth without attempting to erect a cordon of forts along the thousands of miles of savage-infested forests and swamps. He therefore instructed Father Louis Hennepin, a bold and enterprising Recollet friar who had joined him at Quebec, to ascend the Mississippi to its source. He himself returned to Fort Frontenac, and in August, 1681, left Canada for his historic enterprise accompanied by the brave Tonti, a Franciscan father, twenty-three Frenchmen, eighteen Indian men, ten squaws and three children, all of approved courage and intelligence. On the 6th of February, 1682, the expedition reached the Mississippi, which La Salle named the River Colbert. It had come by way of the River Chicagou, at the foot of Lake Michigan, over the portage to the Illinois, and thence by sleds and boats to the great river, which all journals kept, describe as being one of extreme magnificence.

ROBERT CAVALIER DE LA SALLE

From a Portrait

LA SALLE AND TONTI AT THE MOUTH OF THE MISSISSIPPI

There are several accounts of this memorable voyage, among others those written by Father Zenobe Membre; Jacques de la Metairie, notary of Fort Frontenac and the official historian, and Tonti himself. As La Salle descended the lower reaches of the great river he went more often ashore to visit the Indian tribes, often sending Tonti to them as an advance courier. Thus they first met the Chickasaws, Tensas, Choctaws and Natchez of Mississippi. By the 22nd of March, 1682, Tonti records that the expedition had reached 31° of latitude. On the 6th of April, according to Metairie, whose manuscript was deposited in the archives of the French minister of marine as authentic, "we discovered three channels by which the River Colbert discharges itself into the sea. We landed on the banks of the most western channel about three leagues from its mouth. On the 7th, M. de la Salle went to reconnoiter the shores of the neighboring sea (Gulf of Mexico) and M. de Tonti likewise examined the great middle channel. They found these three outlets beautiful, large and deep. On the 8th we reascended the river a little above its confluence with the sea to find a dry place beyond the reach of inundation. The elevation of the north pole was here about 27°."

"Sieur de la Salle," says Father Membre, "took the western, the Sieur Dautray the southern, and M. de Tonti the middle channel. They found the water brackish, but after advancing two leagues into the gulf it became perfectly salt."

FRANCE CLAIMS THE VALLEY OF THE MISSISSIPPI

On the 9th of April, the expedition encamped on the right bank of the river, and La Salle prepared to formally take possession of the country of Louisiana and the valley of the River Colbert. A column and a cross were erected, and to the column were affixed the arms of France with the inscription: "Louis Le Grand, Roy de France et de Navarre, regne le 9° Avril, 1682."

The erection of the column by La Salle had been preceded by the chanting of the Te Deum and other appropriate hymns and a salute of fire-arms, accompanied by cries of "vive le Roy!" The whole party were under arms. After the commander had erected the column, he proclaimed, in a loud voice, that in the name of Louis XIV he had taken possession of Louisiana with

all it contained, from the mouth to the source of the River Colbert, with the consent of the Indian nations within this domain; "upon the assurance that we have received from all these nations that we are the first Europeans who have descended or ascended the River Colbert * * * of which and all that can be needed I hereby take to witness those who hear me and demand an act of notary, as required by law." The notarial act embodying La Salle's declaration was drawn up by La Matairie and signed by thirteen members of the expedition. The paper also embodied the declaration that his Majesty would annex no country without making it his chief care to establish the Christian religion therein. Thereupon La Salle erected the cross as its symbol.

Having attained the chief fame of his life, La Salle returned to Canada and to France. His second voyage undertaken with the object of reaching the mouth of the Mississippi by sea and colonizing the gulf coast of Louisiana was unfortunate from first to last. His little fleet unwittingly passed the mouth of the River Colbert, his men landed on the coast of what is now Texas, most of his party either abandoned him, were lost or perished and he was finally assassinated on the banks of the Trinity River, Texas, on the 19th of March, 1787 (Father Joutel's "Journal" gives the date as the 20th).

EXPLORATIONS AND JOURNALS OF LOUIS HENNEPIN

Louis Hennepin, an explorer of the Upper Mississippi, was born in Flanders about the year 1640. He entered the convent of St. Frances, and afterwards embarked for New France in an expedition which brought over Robert Cavalier de la Salle in 1675. He was on his arrival in Canada employed as a missionary among the Iroquois Indians. He was of a restless, roving disposition and did not stay long at any one place. In 1680 he accompanied La Salle to Illinois, who sent him to explore the Mississippi River to its source. He went as far as the Falls of St. Anthony, the site of the modern Minneapolis. On his return to France after his expedition Hennepin wrote an entertaining account of his explorations which was published in 1682 under the title *Description de la Louisiane.* After the death of La Salle, Hennepin with unblushing effrontery and duplicity claimed in another work, *Nouvelle Decouverte,* that he had descended the

LA SALLE TAKING POSSESSION OF LOUISIANA IN THE NAME OF KING LOUIS XIV, APRIL 9, 1682

From a painting by T. de Thulstrup

Mississippi to the Gulf of Mexico before La Salle had discovered it. This was a fraudulent claim. His statements were discredited, and he was proved to be a conceited braggart. His last years were spent in obscurity.

TONTI

Tonti, the brave, generous and faithful, was somewhat overshadowed by the two great men with whom his career in the Mississippi valley is identified, first with La Salle and later with Iberville. He has himself given the best sketch of his life up to the time that the most active period of his career closed with the death of his illustrious superior. He had then been in the service of France for more than twenty years, as a cadet and a marine; as a companion of La Salle in his first voyage down the Mississippi and as governor and commandant of Fort St. Louis in the Illinois country. In 1686, while holding that position he repulsed a fierce attack of Iroquois warriors who had invaded the country, and saved the western tribe from annihiliation. In 1686, at his own expense, he organized a party of forty men who, under his leadership, descended the Mississippi in canoes as far as the Gulf of Mexico to seek for tidings of La Salle or his supposed followers. His mission was fruitless and he returned to Montreal to again engage in the war between the French and the Iroquois. In October, 1687, at the conclusion of the war he returned to Fort St. Louis and his Illinois allies. There he met the half dozen or more who had fled the scene of La Salle's murder in Texas and were bound for Canada and France. Father Joutel, the historian of La Salle's second expedition, was among the number, but acquainted neither Tonti nor any of La Salle's acquaintances of the death of their chieftain. The same policy was pursued in their dealings with the Indians whom they met. Joutel explains in his Historical Journal that the members of his party had agreed among themselves to "conceal from the Indians the death of M. de la Salle, to keep them still in awe and under submission, whilst we went away with the first ships that should happen to sail from Canada for France, to give an account at court of what had happened and to procure succors." Even when they arrived in Montreal although they gave the Canadian officials an account of their long and painful travels, with particulars of the many interesting

incidents of their long journey, no mention of La Salle's death was made. They arrived in France in October, 1688.

Still in ignorance of La Salle's fate, the faithful and persistent Tonti, in 1689, went again in search of his friend. But being deserted by his men and unable to execute his design, he was compelled to relinquish it after he had arrived within seven days' march of the Spaniards. Ten months were spent in going and returning. Tonti then appeared at the court of France and presented a petition to the minister of marine, recounting his services in a straightforward way and concludes: "As he now finds himself without employment, he prays that, in consideration of his voyages and heavy expenses, and considering also that during his service of seven years as captain he has not received any pay, your Highness will be pleased to obtain for him from his Majesty a company, that he may continue his services in this country (Illinois) where he has not ceased to harass the Iroquois by enlisting the Illinois against them in his Majesty's cause." The petition was endorsed by Frontenac, who had then commenced to serve his second term as Governor of Canada.

All the indications are that after the death of La Salle became known to the French authorities, Tonti was placed in command of the Illinois country, and so remained until 1700 when he again descended the Mississippi with twenty Canadians to greet the new colony of Iberville. From this time on he seems to have attached himself to Iberville and his younger brother Bienville, by whom he was employed in various active duties for a number of years. La Harpe, who arrived in Louisiana to exploit his grant on the Red River in 1718, states in his journal that Tonti died at Fort Mobile in 1704. Doubtless that statement was made from hearsay, for there are records which show that the associate of both La Salle and Iberville was engaged in military duties at Detroit in the war between France and England which continued until 1713, and that in 1717 the Canadian government sent him on an expedition to hold a council with some distant tribe of Indians. The probabilities are that he died in Canada rather than in Lower Louisiana, although the records of his career are extremely fragmentary aside from the facts which he himself gives in his Memoir and Petition, which do not carry the story of his life beyond 1691.

None of the French explorers made the trip on the Mississippi

between the mouths of the Illinois and the great river so often as the undaunted and true hearted Tonti. He was next in consequence to La Salle, Iberville and Bienville in exploring the lower valley and an important agent in founding and solidifying the French interest at and near the mouth of the Mississippi.

EXPLORATIONS UNDER IBERVILLE

As the court of France was chiefly engaged in wars and intrigues for a dozen years after the death of La Salle, nothing was accomplished toward the realization of his colonization plans under the royal decree until the seventeenth century was drawing to a close. Upon the southwestern theater now appeared Pierre le Moyne, Sieur d'Iberville, a native of Montreal, Canada, whom his biographer terms "the first great Canadian."

He was the third of eleven sons of the brave Charles le Moyne, Seigneur of Longueuil, Lower Canada, all of whom were distinguished soldiers of France: Charles le Moyne de Longueuil, born 1656; Jacques de St. Hélène, born 1659; Pierre d'Iberville, born July 20, 1661; Paul de Maricourt, born 1663; François de Bienville, born 1666; Joseph de Serigny, born 1668; François Marie de Sauvolle, born 1670; Louis de Chateauguay, born 1676; Jean Baptiste de Bienville, born 1680; Gabriel d'Assigny, born 1681; and Antoine de Chateauguay, born 1683. Charles B. Reed, Iberville's best biographer, says of them:

"All lived to reach eminence or met a death of glory in the service of their country. St. Hélène, Bienville I, and Chateauguay I met early deaths while fighting for the colony and the Crown. Maricourt, after many important and hazardous services to the Government, died from exposure in one of the Iroquois campaigns. Serigny attained high rank in the French navy and died Governor of Rochefort. Antoine de Chateauguay II was long associated with Bienville in Louisiana and later became Governor of Cayenne. Bienville II was Governor and the bright particular star of Louisiana for thirty-five years. Charles Le Moyne, Baron de Longueuil, the eldest son, became the Governor of Canada, as did his son after him. Pierre Le Moyne, Sieur d'Iberville, was the third and most interesting member of this remarkable family. From boyhood he was distinguished for his energetic and hardy spirit and his extraordinary force of character. As the children grew up, the family feeling became very

strong, but all recognized and bowed to the qualities of leadership which Pierre possessed, for he early showed his restless and monarchial disposition. He was a proud, high-spirited, impulsive, and generous lad, intensely loyal and patriotic, and excelled in sports and games of all kinds. He was resolute and ready to espouse a cause, and having accepted an issue, he, far more than his brothers, was willing, nay, eager, to pursue it to the bitter end. In his fortitude, endurance, courage, and quick intelligence lay the claims to leadership which all accepted. Thus in warm emulation but definitely under his guidance, they hunted in pairs, and one or more of the brothers in an associated or subordinate capacity are usually found in every expedition made by Iberville. 'Le Moyne' soon became a word to conjure with, and the brotherhood has been named the 'Canadian Maccabees.'

"Instead of toys and the puerile pastimes of the nursery the young lads had the steep rocks, the straight pines, the gnarled cedars, and the wild game of the mountains as playthings. As they grew older, they took up the sports most common and necessary to all frontier settlements, and spent their time largely in fishing, canoeing, hunting, and snowshoeing, which gave them splendid physical development, together with resolution, self-reliance, and great initiative. At the same time their life on the edge of the wilderness stamped them indelibly with a hatred of the rival English and Dutch colonies and an ineffaceable bitterness toward the Iroquois."

Though not germane, perhaps, to the history of Mississippi, the great discoverer and first colonizer of the southwest deserves to have such outstanding events of his life chronicled in these pages as the victory near Fort Nelson where he put the English to ignominious flight, and the conquest of Newfoundland. These brilliant exploits established his signal ability for leadership. Pontchartrain, minister of marine, early discovered the young Canadian's military talents and, enthusiastic over the plans of Vauban and Iberville to secure the territory to France, discovered on the western continent by Verrazzano and the Bretons, appointed by the latter commander of an expedition to explore the mouth of the Mississippi. The Peace of Ryswick having made England more secure on the Hudson, the new prospect appealed to the strong man whom it seems required the most hazardous exploits to charm his fancy. Too, a passionate zeal had begun

GOVERNOR GENERAL PIERRE LE MOYNE D'IBERVILLE

to possess him to serve both Canada and the motherland in some manner that would be of enduring advantage to both. After having been created a Knight of St. Louis in recognition of his eminent services, he continued to urge upon the court the necessity of prompt action in sending a fleet to the Gulf of Mexico to take possession of the coast lands of La Salle's fair province of Louisiana and to find the mouth of the Mississippi from the sea and plant colonies near and on its banks.

His hatred of the English would always burn his breast and in this new territory claimed now definitely by France through La Salle's discoveries which treaties had so far not caught in their inexplicable clauses, he sought to establish a French colony that would in time repel any advance of the despised enemy.

In a description of his personal appearance and characteristics about this time, his biographer Reed says:

"His frame was large, his waist trim, his bearing erect and soldierly. His active life as bushranger and seaman had given him a superb physique, with muscles of steel and the springy catlike tread of an athlete. His fine shoulders were surmounted by a well-shaped head, which had as its most conspicuous ornament a profusion of curling yellow hair, which he habitually wore long after the manner of the times. His features were refined though large. A brow, broad and open, rested above his blue penetrating eyes, which under excitement sparkled like gems. An aquiline nose and finely chiselled mouth agreeably softened the firmness of his square-set jaw. His skin was clear, his manner easy and conciliatory, and his whole person glowed with resolution and self-confidence. 'As military as his sword,' said a director of the Hudson's Bay Company who had good reasons for his respect."

Such was the character and appearance of Pierre le Moyne, Sieur d'Iberville, who was now at every risk and hazard to become the founder of the first European settlement in the lower valley of the Mississippi. His brilliant career in the wars with both England and Holland had left him an able and heroic figure in American history while yet at the age of thirty-five. He was now equipped for even larger affairs than those which he had already led.

Successful in his appeal to the court of France, a squadron under his command set sail from Brest on the 24th of October,

1698. It was composed of two frigates, *Le Badine* and *Le Marin*, each carrying thirty guns, one of which was under the active command of Iberville himself. There were also two smaller vessels bearing nearly 200 colonists and a company of marines. Among the colonists, says Francois Xavier Martin in his *History of Louisiana*, were a few women and children, the families probably of Canadian soldiers in France who had been offered liberal inducements to join the expedition. Historical narratives and historians generally are silent upon this point, but a close study of the expedition reveals the fact that some women accompanied the first expedition. In the party there were also friars and priests, among them Father Anastase Douay, who had accompanied La Salle to the mouth of the Mississippi and was already acquainted with the river. The expedition also carried with it agriculturists and mechanics, and a full supply of clothing, provisions and implements. Jean Baptist Le Moyne Bienville, one of the commander's younger brothers, then only twenty years of age, accompanied him as a midshipman. Later he was to become almost as celebrated as Iberville, though never seeming to be gifted with the urbanity and friendliness that characterized the famous elder brother.

Among the artisans of the expedition was one Penicaut, a young carpenter who shipped in one of the frigates. Of more than common intelligence and education, he was connected for many years with the colonial enterprises as advanced by both Iberville and Bienville, and his Annals, which cover the period from 1698 to 1722, are of much interest and instruction though not as clearly written as Iberville's journals. There was also the "*Historical Journal*, or Narrative of the Expeditions made by order of his Majesty, Louis XIV, King of France, to colonise Louisiana, under the command of M. Pierre Le Moyne d'Iberville, governor general"; likewise, a narrative of the voyage made by order of the king to "take possession of Louisiana" by the commander of the expedition. From these sources are largely drawn the facts relating to the discoveries, explorations and colonization accomplished by Iberville.

IBERVILLE ENTERS THE MISSISSIPPI FROM THE GULF

In January, 1699, Iberville's expedition under the pilotage of

(From Oil Painting in the Mississippi Hall of Fame, by N. Benson)

FIRST SETTLEMENT ON MISSISSIPPI SOIL. LANDING OF THE FRENCH UNDER D'IBERVILLE, APRIL 8, 1699, AT OLD BILOXI OR FORT MAUREPAS

a noted buccaneer, Lawrence de Graff, reached the Florida coast, after a long and trying voyage by way of San Domingo and on the 25th anchored near the island of Santa Rosa. It touched at the new Spanish settlements of Apalachicola and Pensacola and not being permitted by the Spaniards to land, explored the bay of Mobile and Dauphin, Horn and Dog islands, and on February 10th anchored in the harbor north of Ship Island. On February 13, 1699, they visited the mainland and here Iberville met for the first time the Biloxi Indians, whose later ludicrous ceremonial greetings he received in a kindly spirit that immediately attracted and won them. From these Indians he learned of a large river to the west which they called the Malabouchia. He resolved to make this locality the base of his explorations and examine the coast to the northeast and the northwest. Sending one of his lieutenants to explore the Pascagoula, he himself started for the western region with his brother Bienville, the Sieur de Sauvolle, Father Douay and a force of fifty men in two long boats and several bark canoes. His fleet was anchored at Ship Island. On the night of March 2 his party with great difficulty entered the mouth of the river. He found it "obstructed by rafts of petrified wood of a sufficient hardness to resist the action of the sea." Iberville says that he anchored "two leagues from the mouth of the river, where the depth is from ten to twelve fathoms with a breadth of from four hundred to five hundred yards." The high rocky elevations caused by petrified debris around the mouth, he wrote in his journal, was sufficient cause for the Spaniards calling it the Palisada.

The Historical Journal of the expedition contains an account of the discovery of the mouth of the Mississippi, and as it is an authentic first account of the event in detail it is quoted entire:

"On Monday at one o'clock (March 2, 1699) we set sail with a strong north wind. We made several efforts to get out of the labyrinth of islands (the Chandeleur) by which we were surrounded. After doubling a point where our vessels struck the bottom we saw the mainland extending S. S. E. and coasted along the whole distance. The seas ran so high that we were obliged to fix up tarred canvas on the gunwales about a foot high to prevent the water from breaking over into the boats. We drew nearer the land for fear of missing the river. We sailed closer to the wind and took in our large sail to avoid being driven ashore,

which the wind was blowing us dead on to. After beating about in the seas for two hours and fearing the waves would fill the bark canoes, M. d'Iberville made us run before the wind with the intention of stranding the smaller, so that we might return to the ships; since we could accomplish nothing by this route, the land being entirely inundated and filled with lagoons.

"At this moment we perceived a pass between two banks, which appeared like islands. We saw that the water had changed; tasted and found it fresh, a circumstance that gave us great consolation in that moment of consternation. Soon after we beheld the thick, muddy water. As we advanced we saw the passes of the river, three in number, and the current of the stream was such that we could not ascend it without difficulty, although the wind was fair and favorable. Upon entering between the two mud banks we saw a breaker in the middle of the pass, upon which we feared being lost, as it was with difficulty we could double it, for we observed, when too late, that the breaker lay N. E. and S. W. between the mud banks, which are larger upon the lower side of the entrance to the river. The entrance of the Mississippi runs S. E. and W. N. W. and may be a quarter of a league wide at its estuary.

"The coast consists of nothing more than two narrow strips of land about a musket shot in width, having the sea on both sides of the river, which flows between these two strips of land and frequently overflows them. At four o'clock, after having ascended the river one league and a half we landed in a thick cane brake, which grows so tall and thick on both banks of the river that it is difficult to see across, and it is impossible to pass through without cutting it down. Beyond the canes are impenetrable marshes. The banks are also bordered by trees of prodigious height, which the current of the river draws down to the sea with their roots and branches. We found twelve feet of water at the pass, and within from twelve to fifteen fathoms.

"On Tuesday, the 3d, mass was performed, and a Te Deum sung in gratitude for our discovery of the entrance of the Mississippi River; after which we made a light breakfast, wishing to be sparing of our provisions, which consisted of two casks of biscuit, a small quantity of peas and a quarter of flour for each long boat."

This being Shrove Tuesday Iberville very appropriately named a point not far from the mouth of the stream Mardi Gras.

CONCLUSIVE TRACES OF LA SALLE AND TONTI

Iberville then commenced to ascend the Mississippi with a view of discovering the best sites for colonies and meeting the Indian tribes along its borders. The conflicting stories he gleaned from the natives made him suspicious as to whether he was even on the great river which La Salle and Tonti had traversed. Neither could he reconcile some of the narratives of the Jesuit priests with what he saw and heard. It was not long, however, before he secured conclusive evidences of the visits of both those great French explorers to the Indians of the lower Mississippi. On the chief of one of the tribes whom he met more than 190 miles from the mouth of the river he saw a capot or cloak of blue serge, such as the French wore, which the Indian said had been presented to him by the good Tonti. He also found in the hands of these Indians axes and knives of French make. About a hundred miles farther north, a few miles east of the river, Iberville reached a village of the Houmas, who asserted that Tonti had remained among them for some time and made them presents. On account of a shortage of provisions, the commander was obliged to retrace his course, after he had ascended the river about three hundred miles from its mouth and was nearly four hundred miles from his anchorage at Ship Island. On his return to the village of the Houmas, however, he learned that the Mongoulaches, a tribe farther down the river, had a letter which had been written by Tonti to a certain captain who would visit their country by way of the sea. Iberville gave his brother orders to descend the river and to purchase if possible the significant document when the Indian village was reached. This was shrewdly effected by the young Bienville in exchange for an axe. The Indian also produced a prayer book in which the name of one of La Salle's men was written. Iberville says in his own interesting narrative:

"It was, in fact, a letter from M. De Tonty [Tonti], written to M. de la Salle, dated at the village of Quinnipissas, the 20th of April, 1685, by which we see that he named the Bayagoulas and Mongoulaches, the Quinnipissas. I do not even see for what reason he did so, unless it was to conceal the fact that the Malabouchia was the veritable Mississippi and to avoid the competition of

the Spaniards in the neighborhood who did not regard with pleasure our approach."

There was no longer any doubt in Iberville's mind that he had discovered the real mouth of the Mississippi and had ascended it for at least one hundred leagues.

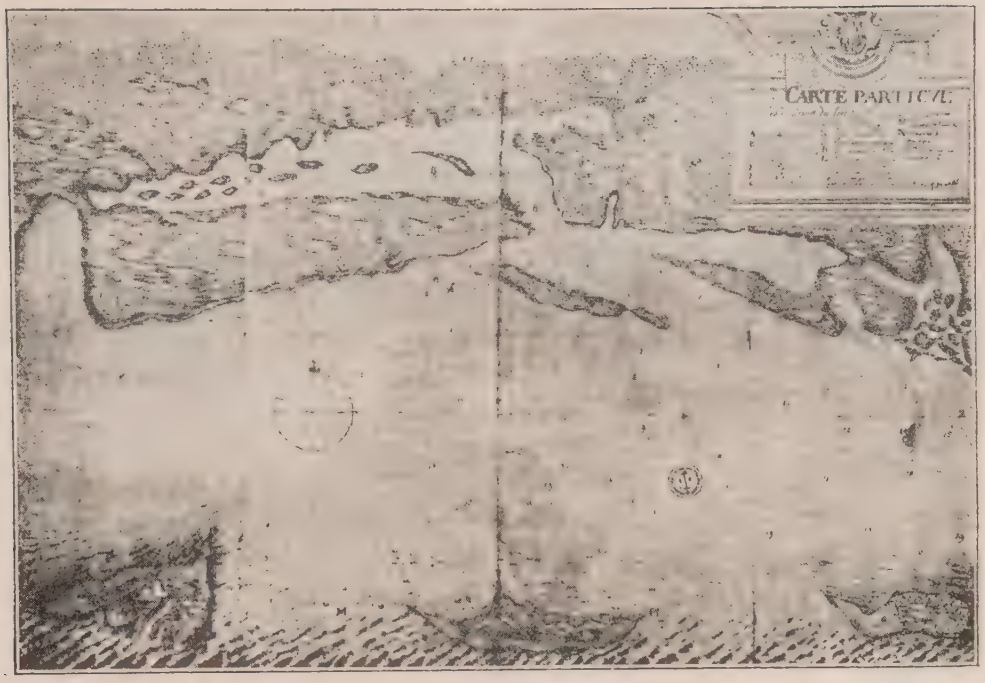
On descending the river after his visit to the Bayagoulas and Houmas he returned to Biloxi by way of the Ascantia, which was named Iberville in his honor (now Bayou Manchac). His exploration of the mouth of the Mississippi and confirmation of all that had been reported of La Salle's expedition were after his first rough experience on entering the stream a voyage of constant ovations from the Indians, a spirit in great contrast with that exhibited towards the French in later years by tribes farther north. With the echo in his ears of their vain attempts to repeat his joyful "Vive le Roy" he left them for the waters where his ships were anchored, feeling that for all the wild splendor and grandeur of the great river the havens on the gulf coast for the present afforded a safer shelter for his colony.

ERECTION OF FORT MAUREPAS AND SETTLEMENT OF OLD BILOXI

Having failed to find a suitable site on which to establish his colony on the banks of the Mississippi, Iberville on his return to the Gulf coast, casting about for a safe situation, selected a fair, sandy glade of raised coast on the eastern shore of a little back bay. It had an area of about four square acres with a background of magnificent forest trees towards which the elevation gently sloped. Here he erected Fort de Maurepas, near what is now Ocean Springs, giving the place at the same time the name of Biloxi in honor of the Biloxi Indians, who had received him kindly.

Numerous picturesque descriptions have been written of the location of the first settlement of Europeans within the limits of what is at present the State of Mississippi, but it was certainly on some such silvery bit of coast land as has been described that the founder of Mississippi's first settlement, which was to be the first capital of ancient Louisiana, after consultation with his officers and men, determined to locate his colony.

The site selected was an inviting one. On the right and left of it, according to Gayarré, who made a study of the spot, there was a deep gorge or gully, defiles that ran down to the bay, giving



FIRST COLONY BILOXI, FORT MAUREPAS

Detailed map of the environs of Fort Maurepas and of the bay of Biloxi: A. Fort Maurepas. B. Bay of Biloxi. C. Pascagoula River. D. Deer Island. E. Bourbon Island F. French Island. G. Eagle Island. H. Round Island. J. Anchorage of the ships. K. Ponds where water is obtained. L. Battery proposed to be made in case the Court orders the establishment of the colony, which will serve to defend part of the roadstead and the entrance to the bay. M. Dederdy Passage. N. Indian cabins. The figures indicate the depth of the water in feet.

THE BACK BAY OF BILOXI

the place some natural advantages in the way of a stronghold or bulwark against attack. Iberville had not been slow to avail himself of all such benefits, and these natural fortifications he connected by a stronger one on the side next to the heavy forest, giving the fort entrenchments on three sides with a water front which, though an inland bay, was connected with the sea. The privacy of the site, which almost amounted to concealment on account of being situated back of the projection of the mainland with Deer Island (Isle au Chevreuil) to the left, gave the place an air of comfort and safety that appealed to the ocean weary explorers.

Iberville named his fort in honor of a son of the French minister of marine. It had four strong bastions and was armed with twelve—Iberville says in his journal 54—pieces of cannon, several of which still may be found in the waters of the bay. The front bastions looked out over the broad expanse of waters and from such vantage one could get glimpses fair enough to suggest a cis-Atlantic Mediterranean, though the waters of the bay running into the land for miles and Deer Island on the left prevented an open view of the sea. Fortier acknowledges the charm of the place in the following bit of local color: "In landing from their boats they stepped on sand as white as silver; before them was spread as a curtain the tall pine trees, among which were seen majestic live oaks and splendid magnolias where birds of all colors sang incessantly amid the boughs."

In the founding of the first settlement in Mississippi and one of the first on the Gulf of Mexico, the building of the fort around which it grew is a matter of much interest, especially since the site is today to Mississippi what Jamestown is to Virginia and Plymouth Rock is to Massachusetts, and all will agree that it had as fair beginning as either.

The best description of the erection of Fort de Maurepas, its appearance when built and the deeply religious atmosphere in which it was founded, is given in the original *Historical Journal*, or narrative of the expedition.

On Wednesday the 8th, the journal records, "we commenced to cut away the trees preparatory to the construction of the fort. All our men worked vigorously and at the end of the month it was finished. In the meantime the boats were actively engaged

in transporting the powder, guns and ammunition, as well as the livestock, such as bulls, cows, hogs, fowls, turkeys, etc. In fact, everything was taken from the ships that could be spared, leaving only what was absolutely necessary for our return to France.

"On Palm Sunday, the 12th, Father Anastasius (Douay) went on shore with M. de Beauharnais, ensign, at four o'clock in the morning, to perform the ceremony of mass to our people who were working at the fort; but the wind rising they were obliged to put back. The wind slacking at eleven o'clock they set off in the longboat. At two o'clock M. de Surgeres returned in a felucca (small vessel). On Holy Thursday, the 16th, Father Anastasius went on shore with M. de Beauharnais to administer the Holy Sacrament to those working at the fort. The longboat was laden with guns and balls. Scarcely had they gone a league from the ships when the wind sprang up with great violence, and the rain fell in torrents so as to render it necessary for two men to keep bailing the boat which came within little of being swamped. We wished ourselves on board of the ships; nevertheless we kept on our route and arrived at the fort at two o'clock. The rain continued from Friday, the 17th, to Saturday, the 18th, and poured down as if the flood-gates of heaven were opened. The waters of the lake for some distance around were fresh several days from the heavy rains, a thing almost inconceivable, but true.

"On Easter Sunday, the 19th, Father Anastasius confessed all those who presented themselves; he then performed mass and afterwards vespers and delivered a sermon.

"On Monday, the 20th, at eleven o'clock, Father Anastasius having finished confessing, departed with M. de L'Esquelet for the ships to administer the sacrament to all those who had not yet received it.

"We continued to work actively on the fort and to designate those who were to remain there. For that purpose the very best men were selected, with two detachments of soldiers to place with the Canadians and workmen and the sailors who were to serve on the gunboats.

"On Friday, the 1st of May, and Saturday, the 2d, we brought on board those who had been working.

"The fort was made with four bastions, two of them of

squared logs from two to three feet thick placed one upon the other, with embrasures for port holes and a ditch all around. The other two bastions were stockaded with heavy timbers which took four men to lift one of them. Twelve guns were mounted."

In a report which he made to Pontchartrain, minister of marine, Iberville, as has been noted, states that the fort was mounted with fifty-four pieces of cannon. In the conclusion of the same paper he adds that he left M. de Sauvolle, naval ensign, in command, "who is a man of merit and capable of fulfilling his duty; my brother, De Bienville, as king's lieutenant; the Sieur Levasseur, a Canadian, as major, with M. de Bordenac, the chaplain of the *Badine*, and eighty men as a garrison. I made them sow beans and Indian corn, which was growing finely at my departure. It is believed that good crops can be raised in that country, which is very temperate."

The Journal, from which was taken the long extract descriptive of Fort Maurepas, was prepared by Commandant, or Governor, Sauvolle, and covers the period of Iberville's first expedition and his own administration as commander of the fort to within a few days of his death. In neither Iberville's report nor *Sauvolle's Journal* is the latter, a distinguished and worthy gentleman of somewhat mysterious identity, mentioned as the brother of the Governor-General, which relationship is claimed by several historians and with some evidence of truth, since one of the Le Moyne brothers bore that name. Bienville is always mentioned in that connection, though Sauvolle held a warm place in the heart of his great superior.

FIRST COLONISTS AT OLD BILOXI

The following important record, which gives a partial list of the first white settlers on Mississippi soil, has been preserved in the office of the Minister of the Colonies, in Paris, France. Accurate transcripts of documents dealing with the history of Mississippi while it was yet a part of the French province of Louisiana are on file in the Mississippi Department of Archives and History, preserved in thirty-four large bound volumes.

(Rochefort—August 25, 1699)

(Mr. d'Iberville)

Abstract of the budget necessary for the salaries of the staff of-

ficers, petty officers, sailors and other persons, left in garrison at Fort Maurepas, in the Bay of Biloxi.
(On the back)

Mr. de la Touche
Rochefort

Abstract of the funds which must be paid out in Rochefort for the salaries of the staff officers, the petty officers, sailors and other persons left in the garrison on the Bay of Biloxi, to the end of the year 1699.

To wit:

5:	staff officers	326:
5:	petty officers	238:
4:	sailors	63:
18:	Canadians	719:
13:	freebooters	425:
10:	laborers	229:
6:	cabin boys	66:
20:	soldiers (they will be paid from the funds of the port until the end of the year. Hence nothing	
	Total	2065:

remitted in Rochefort by a statement of August 30, 1699.
August 25, 1699.

ROLL OF THE STAFF OFFICERS, petty officers, sailors, Canadians, freebooters, soldiers, laborers and cabin boys who have been left in garrison by Mr. d'Iberville at the fort of Maurepas in the Mississippi River, on the coast of Florida, to whom are due the sums hereinafter indicated for each of them, to begin, according to the terms of their engagement, on the first day after the termination of the advances made to them in France, and on the island of S. Domingo, until the last day of December of the present year 1699. (make the discount to the end of the year and remit the present).

FIRST

Mr. de Sauvolle, commander at 200 livres, began May 5, 1699, the rest of the time as ensign; has been paid on the vessel, *The Marin*, as ensign of and lieutenant of the com-

pany for 4 months in advance from July 4, 1698, and for six months at the mustering out ended May 3r.

Mr. de Bienville de Longuil, lieutenant of the King, at 100 livres, began id., the rest of the time as guard; has been paid on the *Badine* as guard four months in advance, began on July 20, 1698, and at the mustering out up to and including May 3r.

Mr. Le Vasseur de Boussouelle, major from September 1 on at 75 l. began id., the rest of the time as canadian; embarked on the *Badine* as officer of the Canadians, on Sept. 1, 1698. Has not received anything.

No amounts are drawn out for these gentlemen, because it is not known as what the court will be pleased to treat them.

Mr. de Bordenave, chaplain at 30 livres per month, for the last 2 days of the month of May and the 7 last months of the present year ---------- 237 l.

Pierre Cavé, surgeon-major, at 30 livres per month, for the last 27 days of January of the present year, i. e.---------- 357 l.

Engaged on August 28, '98. Received in advance 120 l.

PETTY OFFICERS

Jean Francais le Vasseur, master on the ferry boat *La Precieuse* at 50 livres per month, for the 10 last days of the month of October, the months of November and December, 1698.

i. e. ----------116 l. 13s. 4r.
and for the twelve months of the present year ----------600 l. o o } 716 l. 13s. 4r.

Engaged on July 28, '98. Advanced 120 l.

Francais Guyon, master on the ferry boat *Le Voyageur* at 50 l. per month for the last 10 days of October, the months of November and December, 1698, viz._____116 l. 13s. 4r. and for the twelve months of the present year _____600 o o } 716 l. 13s. 4r.
Engaged on July 28, '98. Advanced 120 l.

Nicolas la Voye, coast pilot, paid at the mustering out of *la Badine* until May 3 incl. at 30 l. per month and for the 27 last days of said month and the last 7 months of the same year, i. e._____ 237 l.

Pierre Tabatrau, road pilot, engaged at Leogane on the first of January, 1699, at 40 l. per month and for the said year, i. e._____ 480 l.
Advance nothing.

Philipes Ley, master gunner, at 30 l. per month for the last 27 days of May, 1699 and the last 7 months of said year, i. e._____ 237 l.
Mustered out from *la Badine* and paid at time of mustering out until May 3, incl.

2387 l. 6s. 8r.

SAILORS

Pierre Hardouin, ship carpenter, at 20 l. per month, for the last 27 days of May, 1699, and the last 7 months of said year, i. e.____ 158 l.
Mustered out from *la Badine* and paid at time of mustering out until May 3, incl.

Raymond Saintot, at 15 l. per month for the last 27 days of May, 1699, and the last 7 months of said year, i. e. _____ 118 l. 10s.
Mustered out from *la Badine* and paid at time of mustering out until May 3, incl.

Bernard Saurotte, at 15 l. per month for the last 27 days of May, 1699, and the last 7 months of said year, i. e.---------- 118 l. 10s
Mustered out from *la Badine* and paid at time of mustering out until May 3, incl.

Jacques Roy, called grimos, carpenter of *le Marin*, at 30 l. per month, for the last 27 days of May, 1699, and the last 7 months of the said year, i. e.---------- 237 l.
Mustered out from *le Marin* and paid at time of mustering out until May 3, incl.

632

CANADIANS

Jacques Bellair, at 30 l. per month, for the last 10 days of October, the months of November and December---------- 70 l.
and for the year 1699----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Pierre Pot, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698------ 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Philipes du Coudret, at 30 l. per month, for the last 10 days of October, the months of November and December-- 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Pierre Tesserontie, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698---- 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Antoine Damedieu, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698---- 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Le Polonnais, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698------ 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Hurs Le Roy, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698------ 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Claude Marandan, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698---- 70 l.
and for the twelve months of the present year ----------360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Jean Du Chesne, at 27 l. per month, for the last 10 days of October, the months of November and December, 1698---- 63 l.
and for the year 1699----------324 l. } 387 l.
Engaged on July 20, '98. Advances 81 l.

Estienne Godefray, at 27 l. per month, for the last 10 days of October, the months of November and December, 1698---- 63 l.
and for the year 1699----------324 l. } 387 l.
Engaged on July 20, '98. Advances 81 l.

Jean Emery, at 27 l. per month, for the last 10 days of October, the months of November and December, 1698____ 63 l.
and for the year 1699_____324 l. } 387 l.
Engaged on July 20, '98. Advances 81 l.

Jean Pintureau, at 25 l. per month, for the last 10 days of October, November and December, 1698_____58 l. 6s. 8r.
and for the year 1699_____300 o o } 358 l. 6s. 8r
Engaged on July 20, '98. Advances 75 l.

Jean du Boullay, at 25 l. per month, for the last 10 days of October, November and December, 1698_____58 l. 6s. 8r.
and for the year 1699_____300 o o } 358 l. 6s. 8r.
Engaged on July 20, 1698. Advances 75 l.

Jean Baptiste Herviers, at 30 l. per month for the last 10 days of October, the months of November and December, 1698 _____ 70 l.
and for the twelve months of the present year _____360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Jean Cabuteau, at 30 l. per month, for the last 10 days of October, the months of November and December, 1698____ 70 l.
and for the twelve months of the present year _____360 l. } 430 l.
Engaged on July 20, '98. Advances 120 l.

Tineau Alexandre, at 30 l. per month, from the 22nd of Dec., 1698, for the last 25 days of March and the last nine months of the present years, 1699, i. e.____ 295 l.
Engaged on December 22, '98. Advances 73 l.

Louis Guay, at 30 l. per month and for the twelve months of the present year, 1699, i. e. 360 l.
Engaged on Jan. 1, 1699. Advances nothing.

Antoine Olivier, at 30 l. per month and for the twelve months of the present year 1699, i. e. 360 l.
Engaged on Jan. 1, 1699. Advances nothing.

7192 l. 13s. 4r.

FREEBOOTERS

Pierre Desmarsz, engaged on July 20, at the mustering of the vessel, at 30 l. per month and for last 10 days of October, November and December, '98, i. e. 70 l.
and for the twelve months of 1699, i. e. 360 l. } 430 l.
Engaged on July 20, '98. Advances 90 l.

Michel Chessé, at 30 l. per month, from Sept. 1, '98, for the last 25 days of November and the month of December, i.e. 55 l.
and for the year 1699 360 l. } 415 l.
From Sept. 1, '98. Advances 90 l.

485 l.

Nicholas de Garde, at 30 l. per month. Engaged on Sept. 1, 1698, for the last 10 days of November and the month of December 42 l.
and for the year 1699 360 l. } 402 l.
Engaged on Sept. 1, '98. Advances 90 l.

Jean Nimonneau, engaged on Sept. 1, 1698, for 25 l. per month, and for the month of December, i. e. 25 l.
and for the present year 1699 300 l. } 325 l.
Engaged on Sept. 1, '98. Advances 75 l.

Jean Desplans, on Aug. 28, 1698, at 30 l. per month, for the last 2 days of November and the month of December, i.e. 32 l. and for the year 1699_____360 l. } 392 l.
Engaged on Aug. 28, '98. Advances 90 l.

Philipes Paget, on December 28, '98, at 25 l. per month, and for the last 2 days of said month _____1 l. 13s. 4r. and for the year 1699, i. e._____300 l. o o } 301 l. 13s. 4r.
Engaged on Dec. 28, '98. Advances 99 l.

Pierre Bertrand, on Dec. 15, '98, at 30 l. per month, for the last 9 days of March, and for the last 9 months of the present year, i. e. 279 l.
Engaged on Dec. 15, '98. Advanced 95 l. 15s.

Jacques Emerit, on Dec. 28, '98, at 30 l. per month, for the last 15 days of April and the last 8 months of the present year, i. e._____ 255 l.
Engaged on Dec. 28, '98. Advances 107 l.

André Regnaux, at 30 l. per month, for the last 3 days of April and the last 8 months of the present year, i. e._____ 243 l.
Engaged on Jan. 1, '99. Advances 116 l. 18s.

3042: 13:4.

Jacques Carolle, at 30 l. per month, for the last 13 days of March and the last 9 months of the present year, i. e._____ 283 l.
Engaged on Jan. 1, 1699. Advances 77 l.

Jean Charneaux, at 30 l. per month, for the last 12 days of March and the last 9 months of the present year, i. e._____ 282 l.
Engaged on Dec. 28, '98. Advances 80 l.

Louis Le Duc, at 30 l. per month, for the last 14 days of March and the last 9 months of the present year, i. e._____ 284 l.
Engaged on Dec. 26, '98. Advances 80 l.

Pierre St. Germain, at 30 l. per month, and for the twelve months of the present year, i. e.--- 360 l

4251: 13:4

LABORERS

Jacques Gourdon, edge-tool maker, on Sept. 16, 1698, at 300 l. per year, for the last 3 days of March, 1699, and the last 9 months of said year, i. e.---------- 227 l. 10s
Engaged on Sept. 16, '98. Advances 150 l. 12s.

François Nicaud, carpenter, from Sept. 9, 1698, at 400 l. per year, for the last 7 days of January, 1699, and the last eleven months of said year---------- 374 l. 8s. 10r.
Engaged on the 9th of said month. Advances 150 l.

Estienne Tardif, from Aug. 28 at 400 l. per year, for the last 17 days of Jan., '99, and the last eleven months of said year, i. e.---- 385 l. 12s
Engaged on Aug. 28 of said year. Advances 90 l.

Henry Croisy, carpenter maker of copper trusses, from Aug. 28, '98, at 30 l. per month for the last two days of November and the month of December------ 32 l. } 382 l.
and for the year 1699----------360 l. } 382 l. 987 l. 10s. 10r
Engaged on Aug. 28, '98. Advances 90 l.

Jean la Porte, gunsmith, from Aug. 9, at 30 l. per month for the 21 last days of November and the month of December, 1698 ---------- 50 l. } 411 l.
and for the year 1699----------360 l. } 411 l.
Engaged on the 9th of said month. Advances 90 l.

François de Salle, shoemaker, from Sept. 7, at 100 l. per year, for the last 23 days of

March, 1699, and for the last 9 months of said year _____ 81 7 5
Engaged on Sept. 7, '98. Advances 50 l.

Estienen Duguay, baker, from Sept. 7, at 150 l. per year, for the last 29 days of February, 1699, and the last 10 months of said year__ 137 l. 8
Engaged on Sept. 7, '98. Advances 60 l.

Marc Antoine Basset, from Sept. 7, 1698, at 80 l. for the first year, and 100 l. for the second, for the last 8 days of April, the months of May, June, July, August and the first 7 days of September, at said rate of 80 l., in accordance with the terms of his engagement, i. e._____29 l. 6s. 6r.
and for the last 23 days of said month September, and the last 3 months of said year, at the rate of 100 l., i. e._____31 l. 7s. 9r. } 60 14 3
Engaged on Sept. 7, '98. Advances 50 l.

Claude Bagé, from Dec. 30, '98, at 12 l. per month, for the last 9 days of January, 1699, and the last 11 months of said year, i. e.____ 135 12
Engaged on Dec. 3, '98. Advances 8 l. 16s.

Pierre Potus, from Dec. 20, 1698, at 10 l. per month, for the last 10 days of June, 1699, and the last 5 months of said year, i. e., the sum of _____ 53 6 8
Engaged on Dec. 20, '98. Advances 70 l.

2258 l. 12:10

CABIN BOYS

St. Michel, from Aug. 1, 1698, at 8 l. per month for the last 26 days of November and the month of December_____14 l. 18s. 8r.
and for the year 1699_____96 o o } 110 l. 18s. 8r.
Engaged on Aug. 1, 1698. Advances 25 l.

Pierre Huet, from Aug. 1, 1698, at 8 l. per month, for the last 26 days of November and the month of December___14 l. 18s. 8r.
and for the year 1699_____96 o o } 110 l. 18s. 8r.
Engaged on Aug. 1, 1698. Advances 25 l.

Gabriel Marcal, from Aug. 1, 1698, at 8 l. per month, for the last 26 days of November and the month of December___14 l. 18s. 8r.
and for the year 1699_____96 o o } 110 l. 18s. 8r.
Engaged on Aug. 1, 1698. Advances 25 l.

Jean Joly, from Aug. 1, 1698, at 8 l. per month for the last 26 days of November and the month of December _____14 l. 18s. 8r.
and for the year 1699_____96 o o } 110 l. 18s. 8r.
Engaged on Aug. 1, 1698. Advances 25 l.

Jacques Charon, from Aug. 1, 1698, at 8 l. per month, for the last 26 days of November and the month of December___14 l. 18s. 8r.
and for the year 1699_____96 o o } 110 l. 18s. 8r.
Engaged on Aug. 1, 1698. Advances 25 l.

Pierre le Vasseur, from Aug. 1, 1698, at 8 l. per month, for the last 26 days of November and the month of December_14 l. 18s. 8r.
and for the year 1699_____96 o o } 110 l. 18s. 8r.
Engaged on Aug. 1, 1698. Advances 25 l.

665 12

NAMES OF THE SOLDIERS, REMAINING AT FORT MAUREPAS.

SERGEANT

Daniel Pineau, called La Motte

CORPORALS

François Montiron, Jean Desgarennes

The port of Rochefort owes these soldiers wages for the past and we must see Mr. Du Guay and give him an account for the whole period up to the end of the year.

SOLDIERS

Pierre Bossét, Jacques Porche, Heyérome Brouin

Notice that they are employed on the income of the port of Rochefort.

Jean Malbeeg, Jean Marpeaux, Pierre Godeaux, Guillaume Martin Antoine Niret, Jean Chesne, Jean du Val, Nicolas la Tuille, Jacques Henry, Pierre Vallét, Pierre Maury, Morgan Nommé, Pierre Cilliraux, Guillaume Lucas.

Notice that they are employed on the income of the port of Rochefort.

RECAPITULATION.

3	staff officers	Nothing		
2	staff officers	594 l.		
5	petty officers	2387 l.	6.8.	
4	sailors	632 l.		
	Brought forward	3613 l.	6s.	8r.
18	Canadians	7192	13	4
13	freebooters	4251	13	4
10	laborers	2258	12	10
6	cabin boys	665	12	o
1	sergeant			
2	corporals			
17	soldiers			
Total 81 men		17981 l.	18s.	2r.

i. e. XVII^{M} IX^{C} ^{XX}IIII 1 l. 18s. 2r.

and for the year M. VII^{C} (1700)

Nothing for this year

the sum of seventeen thousand nine hundred and two livres

XVII^{M} IX^{C} II l.

Grand total of the contents of the present roll thirty-five thousand eight hundred and eighty-three livres, eight sous, two reals.

XXXV^{M} VIII^{C} ^{XX}IIII III l. VIIIs. IIr.

I, the undersigned certify the correctness of the contents of this roll.

Rochefort, August 25, 1699.

seen: DuGuay. D'Iberville.

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FLAG OF FRANCE, 1699-1763

From Painting by N. Benson

As emblems of sovereignty seven flags have waved over the State of Mississippi:

FLAG OF SPAIN, 1512-1699

FLAG OF FRANCE, 1699-1763

FLAG OF ENGLAND, 1763-1779

FLAG OF SPAIN, 1779-1798 AND 1812

FLAG OF THE UNITED STATES, 1798-1861

THE MAGNOLIA FLAG OF MISSISSIPPI, 1861-1894

FLAG OF THE CONFEDERACY, 1861-1865

FLAG OF THE UNITED STATES, 1865-

FLAG OF MISSISSIPPI, 1894-

CHAPTER VI

FRENCH DOMINION

BIENVILLE'S DISCOVERIES AND EXPLORATIONS—"THE ENGLISH TURN"—EARLY ENGLISH CLAIM TO MISSISSIPPI—THE RETURN OF IBERVILLE—IBERVILLE'S EXPEDITION OF 1700 TO THE MISSISSIPPI—COLONIAL CAPITAL TRANSFERRED FROM BILOXI TO MOBILE—DEATH OF IBERVILLE—BIENVILLE'S TROUBLOUS DECADE, 1702-1712—THE MISSISSIPPI COUNTRY UNDER CROZAT'S GRANT—FORT ROSALIE AND THE NATCHEZ SETTLEMENT—NATCHEZ DISTRICT AND FORT ROSALIE—THE COLONY UNDER THE WESTERN (MISSISSIPPI) COMPANY—BIENVILLE, AS GOVERNOR GENERAL, FOUNDS NEW ORLEANS—CONCESSIONS LOCATED AND SETTLED—THE CAPTURE OF PENSACOLA—RE-ESTABLISHMENT OF OLD BILOXI—THE CASKET GIRLS—THE COLONIAL CAPITAL ESTABLISHED AT NEW BILOXI—LARGE MIGRATION TO NATCHEZ AND YAZOO DISTRICTS—DISAGREEMENTS WITH SUPERIORS—COLLAPSE OF THE WESTERN COMPANY—COLONIAL CAPITAL ESTABLISHED AT NEW ORLEANS — DISTRESSING CONDITIONS — BIENVILLE DISCREDITED — PERIER'S ADMINISTRATION AND THE NATCHEZ MASSACRE — EXTERMINATION OF THE NATCHEZ—AGAIN A ROYAL PROVINCE—MISSISSIPPI BOTH FRENCH AND ENGLISH—BIENVILLE IS AGAIN MADE GOVERNOR OF THE PROVINCE AND THE CHICKASAW WARS FOLLOW—RETIREMENT OF BIENVILLE—VAUDREUIL SUCCEEDS BIENVILLE—CHOCTAW NATION DIVIDED INTO FACTIONS—PROVINCE OF LOUISIANA UNDER KERLEREC—ROMANCE OF THE FRENCH PERIOD.

BIENVILLE'S DISCOVERIES AND EXPLORATIONS

After the completion of Fort Maurepas, Iberville set sail for France. Sauvolle was left in active command of the fort and the young Bienville, under his orders, continued the explorations of the region around and above the mouth of the Mississippi. Bienville left Biloxi on August 24, 1699, and with five men in two bark canoes commenced the exploration of the coast to the eastward and the westward, and the region at the mouth of the Mississippi. The Pascagoula bay and river were found and Round Island noted. Mobile Bay and Massacre (Dauphin) Island, at the mouth of Mobile Bay were discovered and named, after which Bienville's party turned westward. One of his men lost his powder horn at an island south of Round, on the gulf coast of Mississippi, and the commander named it Horn Island.

Thence the party sailed for the island Surgeres (Ship), where the men had what is recorded as a "grand hunt"; after which they crossed to the fort and rested fifteen days before continuing the voyage to the westward. Penicaut says in his Journals—which are interesting though naive, and somewhat indefinite as to dates and localities:

"We found a bay, about one league in width by four in circumference, forming in shape a half circle. We called it the Bay of St. Louis, because it was on the day of St. Louis that we arrived there. It is about eight leagues west of Fort Biloxi. We landed and found game of every kind in abundance. We killed here more than fifty deer."

From Lake Pontchartrain, which had been named by Iberville in honor of the French minister of marine in charge of the colonies, the exploring party reached the Bayou St. John and the future site of New Orleans, and thence came to the Mississippi. After encamping that night on its bank, and killing a number of wild turkeys which were roosting in the trees, a return was made to Lake Pontchartrain. At the River of Pearls "were found those shells with which the Indians scrape out their canoes after burning. Beautiful pearls are sometimes found in those shells. We presented some two dozen or more" Penicaut records, "to M. de Bienville, our commander." Soon afterward the expedition returned to Fort Biloxi, after having hunted several days on the coast of Bay St. Louis and filled their boats with the meat of deer, buffaloes and other wild game. "On arriving there," continues the Penicaut narrative, "we gave to M. de Sauvol, our commander-in-chief, a detailed account of the discovery of that river, incomparably beautiful, as well on account of its size as of its charming borders. M. de Bienville presented to him the pearls we had found in the shells of Pearl River, which he said he would give to M. d'Iberville. We never afterward heard of those pearls and did not know whether they were of fine quality or not."

"THE ENGLISH TURN"

An interesting incident in connection with Bienville's explorations near the mouth of the Mississippi and along the river for some distance occurred on the 16th of September, 1699, a few miles below the present site of New Orleans and from seventy

FORTION OF DE LISLE'S CARTE DE LOUISIANA, 1718

Original in possession of Chicago's Historical Society. Shows (a) De Soto's wanderings in 1540; (b) La Salle's landing, his journey to the interior, and the place of his death; (c) Tonti's journey to the Chickasaws; (d) the old forts at Biloxi, on Mobile Bay, and on the Mississippi River below New Orleans; (e) route of Bienville from Tensas village to Red River.

to eighty miles from the mouth of the Mississippi. He had just returned from a visit to one of the Indian villages of the region, when he discovered in one of the bends of the river an English frigate ascending it. There are several accounts of the encounter between Bienville, commanding his two canoes and five men, and the English Captain Barr (some historians say Bank) with his battleship. The French thought the latter was infringing upon their domain. One account records that the English commander, whose ship was boldly boarded by Bienville, said that his intention was to found a colony on the Mississippi, whereupon the Frenchman told him that his frigate was in Canadian territory, and the great river was farther to the west. Another account runs that the young French officer told the Englishman that he was on the Mississippi, and asked the intruder if he did not know that the French were established in the country. Bienville, who had impressively sent the flag of his king aboard the English frigate, gave the enemy to understand that if he persisted in ascending the river he should be compelled to resist his advance by force. He also signified that there were strong defenses a few miles above and he had ample means to enforce his demands. Though the English withdrew in the face of this threat, they declared that they would return with sufficient force to maintain their claim. In connection with this incident, Sauvolle in his *Journal* says:

"On going down the river twenty-five leagues from its mouth, M. de Bienville met an English frigate of twelve cannon, which he opposed according to the order which I had given him. The captain named Barr acknowledged to him ingeniously that he had explored the river only to make there an establishment for a company; but seeing that we had taken possession of it before them, and believing that we were established farther up, he decided to return, assuring our men that he would be seen again next year."

Le Page du Pratz in his *History of Louisiana* gives still another version. He says that when the English ship reached the bend in the river they had no wind to turn around it, and having tried to land, they were attacked by the Ouchas and Chaouchas Indians who had been watching them. They turned back; hence the name English Turn, a very unlucky environment, it seems, for any English man-of-war.

Whatever the true version of the affair, the English frigate turned back at that point, and the French were long the masters of the Mississippi valley, an empire which reached from the miniature capital of Biloxi to the Rocky Mountains.

EARLY ENGLISH CLAIM TO MISSISSIPPI

It would be contrary to the English character for caution and pride of race for a representative of that people to invade the waters claimed by another power without fairly substantial grounds for doing so. The English frigate, although it made the turn below New Orleans, claimed that it was sailing within the eminent domain of its king. One Dr. Daniel Coxe had bought a patent to Carolana of one of Sir Robert Heath's direct descendants, the original grantee having received it from the king in 1627. It was claimed that the year before Iberville founded Old Biloxi, Coxe sent one of his representatives to the Mississippi to explore the country. In 1698 it is said that he fitted out two armed ships, which took a company of French Huguenots and English gentlemen to Charleston, South Carolina, with the object of founding a colony on the Mississippi. Most of the colonists remained in the Charleston region, although one ship, under Captain Barr, reached the Mississippi on its voyage of exploration in 1699. As Dr. Coxe's patent covered the land between 31 and 36 degrees of north latitude, from ocean to ocean, the English claimed nearly all the present state of Mississippi, but failed to press their case at this time.

More than twenty years afterwards, a son of Dr. Coxe by the same name, sought to bolster the Heath-Coxe claim by his book entitled *A Description of the English Province of Carolina, by the Spaniards call'd Florida and by the French, La Louisiane; as Also of the Great and Famous River Meschacebe or Missisipi.*

The main points of this English enterprise which fell by the wayside are presented in the following extracts taken from the preface of the book written and published (1722) by Daniel Coxe, Jr.:

"The ensuing treatise is, for the most part, composed out of memoirs which the present proprietor of Carolana, my honour'd father, had drawn from several English journals and itineraries taken by his own people whom he had sent for discovery of this

most noble, pleasant and fertile province and the parts adjacent, both by sea and land; as well as from the accounts of other travellers and Indian traders who had often pierc'd into and rang'd through the heart of it, and were persons of good understanding and probity, whose relations agreeing so well together, though mostly strangers to each other, it is not to be supposed they could conspire to impose fables and falsities on the world.

"The vast trouble and expence (the two great impediments of Publick good) the said proprietor has undergone to effect all this will scarcely be credited; for he not only at his sole charge for several years established and kept up a correspondence with the governors and chief Indian traders in all the English colonies on the continent of America; imploy'd many people on discoveries by land to the west, north and south of this vast extent of ground; but likewise in the year 1698 he equipp'd and fitted out two ships provided with above twenty great guns, sixteen patereroes, abundance of small arms, ammunition, stores and provisions of all sorts, not only for the use of those on board and for discovery by sea, but also for building a fortification and settling a colony by land; there being in both vessels, besides sailors and common men, above thirty English and French volunteers, some noblemen and all gentlemen.

"One of these vessels discover'd the mouths of the great and famous River Meschacebe, or as termed by the French, Missisipi, enter'd and ascended it above one hundred miles, and had perfected a settlement therein if the captain of the other ship had done his duty and not deserted them. They, however, took possession of this country in the king's name and left in several places the arms of Great Britain affix'd on boards and trees for a memorial thereof.

"And here I cannot forbear taking notice that this was the first ship that ever entered the river from the sea, or that perfectly discovered or describ'd its several mouths in opposition to the boasts and falsities of the French who in their books and accounts thereof assume to themselves the honour of both; Providence seeming to reserve the glory of succeeding in so noble an enterprise to the zeal and industry of a private subject of England, which was twice in vain attempted by Louis XIV, of France, the most ambitious and powerful monarch of Europe."

THE RETURN OF IBERVILLE

Iberville had remained in France from the spring to the winter of 1699 organizing another expedition both for further colonization and the relief of his struggling colony at Biloxi. Sauvolle has left a dependable record of the hardships and suffering endured by the colonists at that period, in which he enumerated the sickness produced principally by fevers, the swarming of alligators and snakes around the fort, the shortage of provisions, the poverty of the natives and the constant visits of Canadian *voyageurs* and large bodies of Indians with whom they must share their scanty stores, all of which make a drama that could never be enacted in real life without the stimulant of a great vision to lead on from failure to failure and from victory to victory.

Not at all times was the wise and patient Sauvolle hopeful of success. There were dark days during which he recorded in his Journal "unless a gold mine is discovered the King will not be compensated for his services." Though enamored still of the beautiful country with its profusion of magnificent trees, birds and flowers, they were often sick and hungry, and it is little wonder that they were impatient for Iberville's return, being constantly on the lookout for him.

Finally on the morning of the king's day—January 6, 1700—the Governor records in his Journal, "we heard the firing of cannon from Surgeres Island five leagues distant from our Fort, announcing the arrival of M. d'Iberville in command of the *Renommee* of fifty guns and M. de Surgeres of the *Gironde* of forty-six guns." Immediately Governor Sauvolle gave orders to announce to the colony the arrival of Iberville by a discharge of all the guns and musketry of the Fort. He was received with a great demonstration of joy, especially as he brought with him a large supply of provisions and stores, as well as a number of Canadian immigrants. He also brought with him instructions from the colonial office as has been monotonously cited by every historian of the expedition "to breed the buffalo at Biloxi, to seek for pearls, to examine the wild mulberry with a view to silk, timber for ship-building, and to seek for mines."

To explore the mines of the Sioux country of the north Iberville had brought with him Le Sueur, a geologist who had had experience in the Canadian explorations and brought back with him a quantity of blue and green earth which he claimed to be

samples of copper. Juchereau de St. Denis was another passenger of this second expedition. He was an esteemed relative of the Le Moynes and became prominent in the exploration of the Red River country and in the general affairs of the colony.

IBERVILLE'S EXPEDITION OF 1700 TO THE MISSISSIPPI

Having been informed of the advent of the English into the valley of the Mississippi, Iberville's most pressing concern was to forestall their threatened occupancy by erecting a fort near the English Turn. With this object in view, as well as the design of making further explorations from the south, the governor general remained only a few days at Biloxi before starting westward on a second voyage up the Mississippi. Bienville, St. Denis, Le Sueur and other selected men to the number of sixty were with him. He left Sauvolle, commander of the fort at Biloxi in charge of the ships, and started on his expedition in three longboats. They entered the Mississippi with which they were now acquainted on the 15th of January, 1700, and eighteen leagues from its mouth and eight leagues below the English Turn, Iberville selected a spot on high ground as the site for the fort (La Boulaye) which he resolved to construct when he descended the river. Continuing the ascent they reached the Red Post (Baton Rouge) which marked the boundary line between the two chief Indian nations of the region, the Bayagoulas and Oumas. The latter occupied portions of southwestern Mississippi and were, as we have seen, much attached to the French.

It was on this second trip up the Mississippi that Iberville met the valiant Tonti who had come to offer his valuable services to the colonists. He had with him sixty Canadians and was joyfully received by the colonists. Charles Reed says in his Life of Iberville:

"Tonti's offer of assistance was promptly accepted, and as the intention was to explore Red River, the construction of the fort was left in charge of a Canadian, while Tonti and the Le Moynes set out up the river. Soon they fell in with Le Sueur, who had come over with Iberville to make an expedition to St. Anthony Falls and Mankato Country in search of mines and furs. Overtaking him on a portage, they continued their journey together as far as the village of the Bayagoulas. Among these Indians the rumor was again confirmed that the English were

pushing westward from Carolina along De Soto's old trail and arming the Choctaws, while two men were stationed permanently among the Chickasaws. Iberville tarried a few days with the Bayagoulas and gave them cotton seed to plant, which was also the first to be planted in Louisiana. While there he composed their differences with the Oumas, and by extending his walks in various directions got a comprehensive idea of the country.

At leaving the village of the Oumas, several miles inland, Iberville exchanged his Bayagoulas Indian guides for four Oumas. Thence the upward route was continued for fifteen leagues. This section of the voyage up the Mississippi is thus described:

"Upon leaving the village of the Oumas, we kept on our upward route fifteen leagues above. The river here is divided into three channels, forming two islands about half a league in length; and one league above these we coasted along on the right hand side, where the banks are of a prodigious height (Ellis Cliffs). At the head of these bluffs is a small river (St. Catherine) that comes from a village four leagues distant and one league back from the river. We landed in order to visit the village where we were perfectly well received."

These Indians are called the Natchez and are the most civilized of all the nations. They were very kind and obliging to M. d'Iberville and his officers who had arrived there on the 5th of March and concluded a treaty of peace. They chanted the calumet of peace during three days, at the end of which we departed laden with game and poultry. M. d'Iberville distributed them presents, as he had done to all the nations who had chanted the calumet."

It was on this voyage up the river that Iberville located both the forts of La Boulaye and Rosalie, naming the latter for the Countess Pontchartrain. This, however, was not built until February, 1716, when the French occupied the place.

"On the 12th of March," the *Journal* continues, we left the Natchez and coasted along to the right where the river is bordered with high gravelly banks for a distance of twelve leagues; at the extremity of these bluffs is a place we called Petit Gulf, on account of the whirlpool formed by the river for the distance of a quarter of a league. Eight leagues higher up we came to Grand Gulf which we passed a short distance above on the left hand side.

"We landed to visit a village situated four leagues in the interior. These Indians are called the Tensas (allied to the Natchez). We were well received; but I never saw a more sad, frightful and revolting spectacle than that which happened the second day (16th of April)after our arrival in this village. A sudden storm burst upon us. The lightning struck their temple, burned all their idols and reduced the whole to ashes. Quickly the Indians assembled, making horrible cries, tearing out their hair, elevating their hands to heaven, their tawny visages turned toward the burning temple, invoking their Great Spirit with the howling of devils possessed to come down and extinguish the flames. They took up mud, with which they besmeared their bodies and faces. The fathers and mothers then brought their children and, having strangled them, threw them into the flames. M. d'Iberville was horrified at seeing such a cruel spectacle and gave orders to stop it by forcibly taking from them the little innocents; but, with all our efforts, seventeen perished in this manner, and had we not restrained them the number would have been over two hundred.

"At the close of third day of chanting the calumet of peace, M. d'Iberville distributed his presents as usual, but in greater number than he had to the other tribes. He persuaded them, also, to abandon their present location and establish themselves on the banks of the Mississippi."

As the period of Iberville's return to France was rapidly approaching, he now resolved to descend the river on whose heavy, sluggish waters he had been exploring the lower valley for many days. After making plans for the building and maintenance of Fort La Boulaye, the site of which had already been selected on his upward voyage on the recommendation of a chief of the Bayagoulas, he left Bienville in command with twenty-five men and returned to Biloxi.

Among his directions for the future administration of the colony he recommended that Sauvolle place twenty men under Le Sueur to explore the copper mines in the country of the Sioux above the Falls of St. Anthony and on the 28th of May, 1700, he again set sail for France, accompanied by Father Anastase Douay. The latter left as chaplain the worthy and devout Father Bordeneaux, who was later succeeded by Father Durut. Thus

both the material and spiritual life of the colony were set in motion by its valiant founder.

It is said that eventually Le Sueur and his men took more than 30,000 pounds of copper ore from the mines which they worked, loaded about 4,000 pounds of the best specimens aboard their boat, reached Fort Biloxi, and placed the ore aboard one of the ships to have it assayed in France, but afterwards lost sight of it completely.

With the dominant spirit of the colony—one who knew both how to breast and ride a storm—absent, Governor Sauvolle and his valuable assistant the young Bienville found it not an easy task to control and provide for the colony, though both had been invested with authority by the King, Sauvolle commanding at Biloxi and Bienville at the Mississippi fort. Without the supplies sent to them from the motherland by the thoughtful Iberville, the colony in all probability would have perished, as had so many in the early settlement of North America. Added to wants of every nature, the summer season brought a malignant type of fever said to have been introduced by the ships, and it was to this almost fatal disease—later recognized as yellow fever—that the worthy and accomplished Sauvolle, the first governor after Iberville of the French empire in the far west, succumbed, dying on August 22, 1701. If not a brother of the brilliant Le Moynes, he had won that place in the hearts of both brothers with whom he had combined his strength and talents in founding the colony. He was buried at Biloxi along with many others who make up the list of dead of the first capital, a list still preserved in the archives of the State of Mississippi and held sacred as a symbol of sacrifice and loyalty.

Bienville, only a youth of twenty-two years, though now somewhat seasoned in experience and judgment acquired in the closest association with his elder brother, on receiving news of Sauvolle's death, immediately left his fort on the Mississippi and hastened to the capital at Biloxi of which he resolutely assumed command, leaving St. Denis to command the Mississippi fort.

A summary of some of the main events of the administrations of Governors Sauvolle and Bienville at Old Biloxi includes several expeditions in search of new territory and rivers, as well as for gold, jewels and pearls. These excursions, followed constantly since they had come to the country, soon whetted their taste

JEAN-BAPTISTE LE MOYNE, SIEUR DE BIENVILLE II
From a Portrait

for tamer pursuits; but while they brought them little in the way of wealth they served to acquaint the colonists thoroughly with the country. The French in Illinois and Canada soon learned of the colony on the southern coast and many restless Canadian traders and *voyageurs*—sometimes bringing their wives and children—found their way to the little capital at Biloxi. It was during the administration of Bienville that the Choctaws arrived at Biloxi in September, 1701, to seek assistance in their war with the Chickasaws. On the 25th of October the Mobilians came. Before the death of Sauvolle the Bishop of Quebec sent a number of his representatives to confer with Father Durut, Chaplain of the King, in religious matters. Among the first arrivals from the far north to the little capital that was functioning with both a governor and lieutenant-governor and all other required officials were Fathers Davion and Montigny of missionary fame. These were accompanied by several Frenchmen. They had made the long voyage down the Mississippi in frail canoes and were warmly welcomed by the good chaplain of Biloxi and his parishioners. It was here too that the good and faithful Tonti came to spend some time with Sauvolle, and no first settlement anywhere in America was ever blest by the presence of two knightlier spirits. The dashing young officer M. de Boisbriant also held high office here at the little colonial capital in the administration of the colony's affairs. It was he who was to become enamoured later of a Lady Superior, hardly Sister Gertrude who came out to the colonies as sponsor for many young women sent to the colony. It was at the first capital too that the adventurous and gallant M. de Denis finally settled with his family. Of the romantic adventures of the last two mentioned notice will again be taken.

On May 25th, 1700, more than a year after the building of Fort Maurepas, Sauvolle had an official list made of the officers, petty officers, sailors, Canadians, freebooters, laborers, cabin boys and soldiers present at Biloxi on that day; the list contains 126 names. A list of those who had died at the fort since its establishment, April 8, 1699, to October 18, 1700, was also made out and contains thirteen names. Both lists have been preserved in the archives of the Ministry of the Colonies in Paris and accurate transcripts are on file in the State Department of Archives and History as follows:

ROLL OF THE STAFF OFFICERS, petty officers, sailors, Canad-

ians, freebooters, laborers, cabin boys, and soldiers in the garrison of the fort of the Bay of Biloxi, reviewed on May 25th, 1700.

STAFF OFFICERS

Mr. de Sauvolle, commandant.
Mr. de Bienville, lieutenant of the King.
Mr. de Boisbriand, major.
Mr. Le Vasseur, Canadian officer.
Mr. de St. Denis, Canadian officer.
Father Durut, Jesuit chaplain of the King.
The Sieur Crassé, clerk of the King.
The Sieur Cavé, surgeon-major.

PETTY OFFICERS

Jean François Le Vasseur of Quebec, master of the ferry-boat "La Précieuse".
Nicolas La Voye of La Rochelle, coast pilot.
Pierre Bertrand of Rochefort, master-gunner.
Jacques Roy of Havre de Grace, carpenter.
Jacques Le Compte of Rochefort, master-calker.

SAILORS

Pierre Ardouin of La Rochelle, carpenter.
Raimon Saintot of L'Isle de Ré.
Raimon Trias of Bordeaux.
Pierre Forcan of La Marque.
Laurent Roquette of La Bastide.
Leonard Richard.
Andre Boucherie of Lormont.
Martin Le Guerat of Bayonne.
Jean Laurent of La Rochelle.

CANADIANS

Jacques Belair.
Pierre Pot.
Philippe du Coudray.
Pierre Tesserontiere.
Antoine Damedieu.
Ives Le Roy.
Jean Duchaine.
Etienne Godefroy.
René Bojer, gunsmith of "La Renommée" instead of Jean Baptiste Hervieux.
Vincent Alexandre.
Alex François.

Louis Guay.
Antoine Olivier.
Joseph Lapointe.
Ignace Lapointe.
François Poudrier.
Joseph Chauvin.
Jean Baptiste Graveline.
Jean Leveillé.
Charles Lamotte.
Pierre Couillard, called La Fontaine.
François Hamel.
Pierre Allain.
François Maltot, for Jacquereau.
François La Solay.
Pierre Talon.
André Roy.
Gilbert D'Ardenne.
Denis Durbois.
Estienne La Chambre.
Jean Baptiste Turpin.
François Claverie.
Clement Begon.
Louis Larrivée.
Mathieu Bellefond.
Philippe Minet.
Charles Le Vasseur.
Antoine Lucas.
Claude Trepanier.
Charles Renaut.
Joseph Bourbonnière.
François Montreuil.
François Ste. Marie.
Jacques Chauvin.
Ignace Laval.
Charles Laroze.
Marc Berichon.
Nicolas Latopine.
Louis Baudouin.
Jean Migneron.
Joseph Robitaille.
Claude Francoeur.
Sebastien Charpentier.
Antoine Roussain.
Jacques Labry.
Luc Dourine.
Villedieu.
François Bon Valet.
Guillaume Ste. Tereze.
François Breton.
Jean Labarre.

FREEBOOTERS

Michel Chessé.
Nicolas de Sardes.
Jean Simoneau.
Jean Desplans.
Philippe Paget.
Pierre Bertrand.
Jacques Hemery.
André Renaud.
Louis Le Ducq.
Pierre St. Germain.

LABORERS

François Sicaut, carpenter
Jean Laporte, gunsmith.
Estienne Tardif.
Claude Bergé.
Marc Antoine Basset.
Jean Lucan, locksmith.

CABIN BOYS

St. Michel.
Gabriel Martial.
Jean Joly.
Jacques Charron.
Jacques Dupont.
François Moreau.

DETACHMENT of Mr. De Roussel.

SERGEANT

François Carron, called Langoumois.

CORPORALS

Pierre Laurendau, called Langoumois.
Jean Harune, called Laroche.

DETACHMENT of Mr. D'Arquain.

SOLDIERS

Pierre Bojer, called Burgundian.
Gerôme Brouan, called La Forest.
Pierre Beaudeau, called St. George.
Jean Marpeau, called Beau Séjour.
Lafontaine, called Laroze.
Jean Malbecq, called Malbecq.
Antoine Siret.
Guillaume Martin, called Sans Chagrin.

DETACHMENT of Mr. de Belicourt.

Pierre Robert, called Lamontaigne.
Pierre Maury, called Duchaine.
Pierre Tallet, called Poitevin.
Nicolas Leguay, called Sans Raison.

DETACHMENT of Mr. de Roussel

Jacques de La Cour, called Grand Maison.
Maurice Cergau, called Laplante.
Pierre Robert, called Champaigne.
François Olivier, called L'Esperance.
Jean Baptiste Bonnevie, called Francoeur.
Done at the fort of the Bay of Biloxi May 26th, 1700.

Sauvolle.

I the undersigned clerk of the King performing the functions of Commissary at the fort of the Bay of Biloxi certify that the roll of the garrison is correct, amounting to one hundred and twenty-six men. Done at the fort of the Bay of Biloxi May 26, 1700. * * *.

Crassé.

PARTIAL LIST OF THE DEAD OF OLD BILOXI 1699-1700

Colonial Office
Series C. 13.
(General Correspondence dealing with Louisiana.)
Vol. 1, pages 267-268.

(Rochefort, October 18th, 1700.)
(List of the petty officers, sailors, Canadians, freebooters, workmen and soldiers who died at Fort Biloxi.)

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267. (endorsed.) Rochefort.

List of the petty officers, sailors, Canadians, freebooters, workmen, and soldiers of the garrison of the fort of Biloxi, who have died since the establishment of said fort.

October 18th, 1700.

List of the petty officers, sailors, Canadians, freebooters, workmen and soldiers who have died at Fort Biloxi.

PETTY OFFICERS

Pierre Tabuteau pilot December 1st, 1699.

CANADIANS

Claude Marandeau November 20th, 1699.
Antoine Bauché called Morency while returning from Santo Domingo December 31st, 1699.
Nicolas Prevost ditto December 31st, 1699.
Jean Trepanier December 31st, 1699.
François mistake here.
Jean Peintureau December 15th, 1699.
Paul Duchiron March 25th, 1700.
Guillaume Brassard March 26th, 1700.
Leonnard Mathé May 1st, 1700.

FREEBOOTERS

Pierre Desmarez December 1st, 1699.

WORKMEN

Estienne Du Guay December 30th, 1699 (268)

SOLDIERS

Jean Cornelle died April 9th, 1699.

All according to the abstracts of the lists turned over to me by Monseigneur d'Iberville at Rochefort October 18th, 1700.

Morel Dremeit.

Read:
(rubric)

COLONIAL CAPITAL TRANSFERRED FROM BILOXI TO MOBILE

Iberville did not return from France until November, 1701. some writers say December, and not until March 3, 1702, did he reach the capital at Biloxi, having been detained at Pensacola on account of bad health, which was now beginning to tell on his robust physique and great powers of endurance. Following the death of Governor Sauvolle, though Bienville labored with zeal and energy the colony passed through a trying experience marked by hunger, sickness and death, and anxiously awaited Iberville's arrival.

Affairs in the Old World did not seemingly concern the infant colony of Louisiana. Though none there perhaps except the commanders had the faintest understanding of the political movements and intrigues of foreign courts, it nevertheless affected their interests that Louis XIV had taken for a wife the daughter of Philip IV of Spain. All Europe now set its face against France and Spain and the Louisiana country must feel the weight of its displeasure at the thought of Bourbon tyranny.

Iberville had, no sooner than his arrival at Pensacola, sent a shallop to Biloxi which bore the good news that he with his brother Serigny had arrived at the Spanish fort in command of two ships, the *Renomée* and *Palmier*. They brought to the wasted colony a large quantity of supplies and a number of colonists. This greatly revived the spirits of the inhabitants of the small capital, whose history is one of hardship, suffering and sacrifice that

entitle it to be held as sacred ground by the whole southwest. When the news was communicated to the colonists at Biloxi that Iberville under orders of the king had given instructions to Bienville to erect a new fort on the Mobile River and remove the colony hence, though it was accepted without distrust their hearts still clung to the place of their first hopes and sacrifices. But as Iberville had declared, the new fort would be nearer their friends the Spanish in case of expected trouble with the English to the north who were already peering down from the Carolinas with greedy eyes.

In the spring of 1702 war had been declared by England against France and this fact with the one of the alliance of the royal houses of France and Spain through marriage hastened affairs in the colonies, for with all the reasons and motives that have been advanced it is plainly clear that the removal of the forts on the Gulf coast back and forth was largely subject to the alliances of the great powers of Europe.

Bienville, now governor of Biloxi, the third to govern that place under royal authority, on receiving orders from his brother who could not on account of his ill health inspect the site himself immediately set out on January 16, 1702, for the Mobile River, Picket and other historians say Dog River, leaving the Biloxi colony under command of M. de Boisbriant with twenty men. Here he began the construction of the Fort Louis de la Mobile, sometimes called Fort Louisiane, eighteen leagues up the river—Iberville's Journal says sixteen leagues. Penicaut seems to have thought that the Mobile fort was begun in the fall and winter of 1701 with Boisbriant as the director, but the historical Journals of Iberville's expedition, as Fortier has said, are more reliable than the young carpenter-historian's Relations, as creditable and interesting as they are. Iberville, however, was acquainted with the locality of the site for the new fort and capital of Louisiana, having explored the country on his first arrival from France. The construction of the new fort he was both willing and compelled to leave to the judgment of his brilliant and ambitious younger brother, being very ill at Pensacola at the time with an abscess in his side that necessitated an operation.

At Dauphin Island, the name of which had been changed from Massacre to Dauphin in honor of the eldest son of the king, Bienville the young governor of the prospective new capital on the

Mobile at the instance of Iberville, who though ill, directed every movement of the colony, met and had an interview with his brothers Serigny and Chateauguay. These had arrived with a detachment of sailors and workmen to build a magazine on Dauphin Island nearer the Mobile fort for the reception of goods and provisions which had been brought from France.

For all the good will that had been brought about by the new alliance between France and Spain, the subjects of the latter at Pensacola were not wholly pleased at the idea of the French settling so near their beautiful province. When Iberville drew up a memorial to the Junta giving his reasons for wishing to come closer to the Spanish stronghold at Pensacola and displaying his usual diplomacy and statecraft by saying that he would make an alliance with the Indians to the north and arm them against the English, the Spanish still demurred, saying that they objected to any people settling so near them, naively adding with what today seems a bit of laconic humor that "the English colonies were not near so dangerous as those of Iberville." The Junta further insisted that the French colonies on the coast and the Mississippi were already occupying Spanish territory and it hoped that the king of France would respect the rights of His Catholic Majesty.

Notwithstanding this attitude of the Spanish at Pensacola, Iberville, who was fast displaying statemanship of a high order, was shortly on good terms with Governor Martinez. With his usual ability to control others he soon smoothed out at least most of the objections that the Spanish had to his settling near them, and the work on the fort began in earnest about the 17th of January and proceeded with the utmost speed through the rest of that month and February. By the last of February or March 3, 1702, Iberville was able to leave Pensacola and visit Biloxi to see his colonists. On his way he inspected the attractive new fort on the Mobile to which the colonists were looking forward with fresh hopes.

At the new fort, which was called Louis de la Mobile, he spent several days with Bienville, who with such leading spirits as his brother Serigny, Le Vasseur, and Nicolas de la Salle had about finished the buildings of the new capital. This La Salle, who proved to be the enemy of the Le Moynes and sought preferment for himself from Pontchartrain, according to Reed, in his biography of Iberville, was not in any way related to Robert Cavalier

de la Salle, as some historians seem to think. However, scarcely any two historians, nor do the original journals, agree in any particular concerning the minor details of the early colonial history of the southwest.

Iberville, the journals of that day record, was delighted with the site selected for the new fort, declaring it to be a safe situation in case of attack from his old enemies the English, now that there had been an alliance between Spain and France.

Leaving the fort for minor improvements, he spent the next two weeks in and near Biloxi, giving to his beloved colony the best that was in him, and though scarcely recovered from his recent illness at Pensacola he personally supervised the removal of the government to the new fort. The first white family to move to the Mobile site, Iberville records, was Nicolas de la Salle, the intendant, who came on March 19, 1702, with his family.

From that day on for nearly two decades the Mobile capital began to have an interesting history of its own, filled with exciting adventures with the Indians, official dissensions of the bitterest nature, financial schemes, wars with Spain, and want and sickness, with occasional splashes of vivid romance, all of which has been charmingly told by Hamilton in his Colonial Mobile.

Among the events that made its history of much importance to the colony was the arrival in 1704 of the *Pelican* with four sisters of charity or Gray Nuns and twenty-three young girls certified by the French minister in a dispatch to Bienville to be of irreproachable character, unlike some who came later from the streets of Paris to whom the colonists objected. It is not stated whether Sister Gertrude, whose efforts in behalf of the colonization of the country proved to be almost as heroic as Iberville's and Bienville's, brought over this company in the *Pelican* or not. However, the young women were all soon married and their descendants, Claiborne has said, are still to be found on the seacoast of Alabama and Mississippi.

The first white child born at the Fort Louis de la Mobile, Pickett says, was Claude Jousette, a son of a French trader. Hamilton says the first white (creole) child born at that place was Jean François, son of Jean Le Campe, in 1704. Either claim substantiates the statement by the distinguished Louisiana his-

torian François Xavier Martin that a few women accompanied the first expedition from France, since the twenty-three young women arriving on the *Pelican*, the first to be brought over, came in the summer of 1704, and the children referred to were born in October of that year. According to *Magne's Notes et Documents Historiques* cited by Fortier in his *History of Louisiana* the twenty-seven French families at the Mobile fort before 1704 counted ten children from one to ten years of age, some of which must have been born at Old Biloxi. Besides it would seem improbable if, as Fortier has cited in his history, quoting original records, there were twenty-seven French families at the Mobile fort on August 31, 1704, with three little girls and seven boys from one to ten years of age, either the child that Pickett or Hamilton has named was the first child born in the colony, but probably the first found in the church register, which was not kept at Old Biloxi, nor at the Mobile fort until several years after its establishment.

After having satisfied himself that the Fort Louis de la Mobile would be the most suitable situation for his colonists now that France and Spain were on friendly terms, Iberville continued as long as he remained in the colony to strengthen its defenses. He not only helped to plat its streets and mark its best sites for the residences of the officials and a number of colonists and their families but also carefully superintended the completion of the magazine and barracks on Dauphin Island and that of Surgeres, which he had designated as Ship Island because the French found there the best shelter for their ships upon their arrival in Louisiana.

With his usual foresight and diplomacy Iberville then fitted out several detachments to send up the Mobile River in search of the native chiefs of the surrounding country, the Mobilians being selected as guides. As a result of this constructive policy numerous chiefs, representative of tribes occupying the country from Carolina to Illinois and the present states of Alabama, Mississippi and Louisiana, made a treaty of peace with Iberville at Fort Louis de la Mobile on the 25th of March, 1702.

The commander-in-chief, who was both revered and loved by the colonists and all serving under him, soon after bade adieu to his officers and departed for France on April 22, 1702, never again to return to his struggling colonies. Being unable to cal-

culate the distant results of the master work he had performed nor privileged to enjoy any fruits of the achievement he had envisioned, Iberville returned to France a disappointed man. The mining country of the uppermost Mississippi had been abandoned on account of the warlike and hostile Sioux; and, without mines, the home government, which had not stressed domestic life and agricultural pursuits with the same sense of their importance as had the founder of the colony, felt that the enterprise was a failure. Much had been expended on the colonies and forts along the Gulf coast and the lower Mississippi without securing any material returns. But though the seed sown had not begun to bear fruit, one has only to cast the eye along the southern Gulf coast and up the majestic stream on which the brilliant spirits of Iberville and Bienville strove, to know that it did not fall on barren ground and to believe that it was to these knights of the good St. Louis that Biloxi, Mobile and New Orleans owe their foundation stones. And for all the later almost effacing impress of the more enduring Anglo-Saxon, something vastly heroic and indescribably sweet of Iberville's day still lingers, the distillations perhaps of suffering and sorrow that came of great sacrifice and unremitting toil and effort. But it was not for this dauntless herald of a glad day to realize any portion of his dream. To him and others of his day it wore the face of failure.

As commented by Winsor, "It was not a grateful outcome of all Iberville's hopes of far-reaching influence throughout the Great Valley." His ability, it is true, had been recognized by the court of France when the minister of marine made him "Commander of the Colony of the Mississippi," but Iberville himself realized that the title and authority failed to carry with it the material aid to make the adventure a success, little dreaming that he had opened a road that was indeed a king's highway for coming millions.

DEATH OF IBERVILLE

Iberville was expected to reach his colony again in August, 1703, but the ship on which he was due brought word that he was lying at Rochelle, France, too ill for the voyage. He was unable to leave France until the spring of 1706. With the safety of his infant colonies still in his thought he departed in command

of a fleet which proposed to drive the English from the West Indies. On reaching the island of Nevis, of the lesser Antilles, with a spirit that had characterized his valorous youth he attacked and captured that outpost of the south seas and the Gulf of Mexico. The French fleet then sailed for Cuba, but the germs of yellow fever had undermined the enfeebled constitution of the great explorer, soldier, and first colonizer of the old southwest. After a short illness he died of the disease on the 9th of July, 1706, while his ship was lying before the port of Havana.

BIENVILLE'S TROBLOUS DECADE, 1702-1712

After the last departure of Iberville for France, Bienville, though not much more than a youth, was left to his own devices, and the little colony now planted on the Mobile continued to have a succession of disasters and triumphs. For more than forty years thereafter the young governor was to be the leading spirit in the colonial affairs of the lower Mississippi Valley. The strong influence of Iberville was withdrawn and after his death the character of the younger brother came into greater prominence and evinced brilliant and substantial qualities.

Bienville's first decade as governor of the colony, however, was a most troublous period, packed with suffering, struggles for relief, Indian troubles and internal dissensions of rival leaders. The sufferings of the colonists were somewhat alleviated by the fact that France and Spain were allies. Provisions were obtained from Florida and Mexican ports; French ships conveyed public papers between Florida and Mexico; Louisiana soldiers assisted in the repulse of English soldiers from St. Augustine, as in other coöperations of arms, and there was a constant exchange of friendly offices. Otherwise the condition of the colony would have been appalling indeed. The wars with the Alibamons, which commenced soon after Bienville assumed the active administration, continued several years and made the condition of the colony more perilous.

Bienville's enemies within the colony were led by Nicolas de la Salle, intendant commissary of Louisiana, and Curate de la Vente, sent by the archbishop of Quebec, in 1704, to be vicar general. Those who were his stanch friends and supporters were Diron d'Artaguette, La Salle's successor, who returned to France in 1708 to defend Bienville against his caluminators, and Father

Jacques Gravier, a faithful missionary of the Illinois and Kaskaskia regions who came to Louisiana about 1700, while Biloxi was still the capital.

The ceaseless intrigues and bitter attacks directed against Bienville and his brothers, Serigny and Chateauguay, finally effected his removal in 1707 and M. de Muys was appointed in his stead. In the following February a king's ship arrived at Dauphin Island bringing the news of M. de Muys' death. On the vessel was D'Artaguette, the new intendant commissary, who had been ordered to report on the past conduct of all the officers of the colony; to examine the port and decide on the propriety of keeping it there or removing it, according to the new plans approved by the king.

In March, 1711, the settlement of Mobile was inundated and D'Artaguette proposed to Bienville to move their quarters to a new site, the present one of Mobile—eight leagues above at the entrance of the river, which was accordingly done. In the following November the commissary returned to France. Although his report of conditions in the colony undoubtedly vindicated Bienville and his administration of any wrongdoing, the truth was driven into the royal mind that its colonial enterprises in Louisiana were losing investments and called for the adoption of a new policy. Now commences the long story of the ravishing of the fair young province for private exploitation and by monopolies.

THE MISSISSIPPI COUNTRY UNDER CROZAT'S GRANT

In 1710 it was known that La Mothe Cadillac, the founder of Detroit, was to be transferred from the scene of his partial failure in the north to the gloomy commercial field of Louisiana, or Mississippi as it was often called since the death of Iberville. Bienville, still retaining leadership, had been its consistent patron of husbandry; yet to little purpose. Cadillac moved slowly. He returned to France after Pontchartrain had notified him of his appointment as governor general of Louisiana, and when he finally arrived at Fort Mobile in May, 1713, conditions had entirely changed. The beautiful province had been placed in the hands of a successful merchant, to be developed, if possible, into a money-making enterprise; Cadillac himself was to be his underling. During the previous month the peace between England and France had been signed at Utrecht.

Never in the history of the world was such a magnificent domain even temporarily placed in the sole keeping of one man as was given by the king of France on the 14th of September, 1712, to Anthony Crozat, Marquis du Chatel.

For a term of fifteen years one of the great merchants and financiers of one of the foremost powers in the world was granted a monopoly of the trade of Louisiana, which was equivalent to possessing it for that length of time. The charter granted to Crozat by Louis XIV gave him the exclusive right to the internal and external trade of the province, and the king's troops in the colony were ordered to assist and abet his agents and directors in maintaining the monopoly. All the shipping in the colony was turned over to him upon condition that he replace it at the end of his term. These items give an intimation of the completeness of the Crozat monopoly. It is said that it might have succeeded, if the Spaniards, after the treaty of Utrecht, had refused to open their ports to the French.

Although the northern limits of New France had been fixed by that treaty, Louisiana was still undefined. It was described in the grant as "bounded by New Mexico and by the lands of the English of Carolina, all the establishments, ports, havens, rivers and principally the port and haven of the Isle Dauphin, heretofore called Massacre; the River of St. Louis, heretofore called Mississippi, from the edge of the sea as far as the Illinois; together with the river of St. Philip, heretofore called the Missouri, and of St. Jerome, heretofore called Ouabache (Wabash, or Ohio) with all the countries, territories, lakes within land, and the rivers which fall directly or indirectly into that part of the River St. Louis."

The government of Louisiana was made dependent upon the general government of New France. Although it was ordered by the king that "our edicts, ordinances and customs, and the usages of the mayoralty and shreevalty of Paris, shall be observed for laws and customs in the said country of Louisiana." Crozat and his agents were in reality supreme while the monopoly lasted, but its true head never appeared in Louisiana.

In May, 1713, a French frigate arrived in Mobile Bay bearing news of the Utrecht treaty. Among the passengers were Cadillac, the governor-general, with his family and household, and twenty-five young girls from Brittany who came with the expectation of finding husbands in the colony. There also took passage—M.

Duclos, intendant commissary to succeed D'Artaguette; M. Lebas, comptroller of finances; M. M. Dirigoin and La Loire des Ursins, agents and directors of Crozat. It is said that Cadillac had entered into partnership with the grantee. Bienville was retained as lieutenant governor.

Just what was the condition of the broad empire of which Crozat was about to possess himself is thus epitomized: The French population in all this region was still only a few hundred rather indolent and struggling colonists, besides a few troops in the various forts. At the time Crozat's charter was granted, the whole number of settlers in Louisiana consisted chiefly of about twenty-eight families, whose occupation, besides fishing and hunting, was the cultivation of small tracts of partially cleared land for gardens in the pine regions around the bays of Biloxi, St. Louis and Mobile. The soldiers, distributed in several garrisoned forts, consisted of one hundred and seventy-five men, comprising two companies of infantry and seventy-five Canadian volunteers. There were also at this time twenty negro slaves, a few Jesuits and Franciscans and king's officers. The whole number of Europeans in Lower Louisiana was three hundred and eighty souls and there were about three hundred head of cattle. There were also a few settlements upon the Kaskaskia and Wabash rivers, as well as upon the Illinois. On the whole the condition of the colonists in the northern portions of Louisiana was now much better than that of the southern, though here a foothold had been secured to be steadily maintained by the persistent Bienville, whose influence was a dominant one in the colony.

The regions along the coast and along the Lower Mississippi were more subject to Indian attacks than those farther north, as the allegiance of the tribes was divided between France and England, and for several years before the peace of Utrecht the southern ports were harassed by English ships. As a result not a few colonists were directed toward the northern settlements, which were, as has been observed, more promising than those of the south at the time that Louisiana fell under the Crozat monopoly.

All efforts to secure the Spanish trade of the gulf ports and of New Mexico, through the capable and alert St. Denis and other emissaries were fruitless, and the trade with the Indians also failed to meet the expectations of Crozat. Even more fatal to the best interests of what was to have been a new Louisiana were

the dissensions among its officials. Cadillac was a firebrand. He quarreled with all connected with the administration over their morals, their religion, their discipline and their abilities. Finally those engaged in the feud divided into two hostile camps. The governor numbered among his party a number of young, brilliant officers, scions of noble houses, eager for a fray of any kind, and all stimulated by the fanatical curate de la Vente. On the other side stood Lieutenant Governor Bienville—Cadillac's rival and chief antagonist—with the king's commissary, Duclos, Boisbriant, Serigny, Chateauguay and others of note and influence.

FORT ROSALIE AND THE NATCHEZ SETTLEMENT

The most important event connected with the Cadillac administration was the building of Fort Rosalie and the founding of the settlement at Natchez, making that locality the chief center of French influence south of the Illinois country. Bienville had received orders direct from the king to commence an establishment at the Natchez, on the very site selected by his brother Iberville sixteen years before on his second exploration of the river. The news that four Canadians descending the Mississippi from the Illinois had been assassinated by the Natchez caused him to hasten his departure for the Indians' country. Cadillac, however, furnished him with a most inadequate force with which to demand satisfaction from such a strong tribe as the Natchez, which was then said to number twelve hundred warriors. His party reached the Tunicas, near the Natchez country, in April, 1716. On the 27th of the month, three Natchez chiefs arrived and with an air of friendliness presented the calumet, which Bienville rejected until satisfaction was rendered by their people for the Frenchmen they had murdered. The calumet of peace was presented by the chiefs the second time and again refused. Finally, after negotiations which extended over nearly three weeks, as a propitiation, the Great Chief of the Natchez sent Bienville the head of his brother, who was one of the murderers and "had been a great disturber of the public peace." Penicaut, who was with Bienville, further records in his *Journal:* "The punishment of this chief restored peace, and it was now stipulated that the Natchez should furnish the lumber to build a fort in their country for the safety of the French. Thus ended the first war or difficulty with the Natchez. The work was now commenced on the fort under

SITE OF FORT ROSALIE, NATCHEZ

the direction of M. de Pailloux, who was appointed by M. de Bienville commandant.

"On the 22d of July, 1716, M. de Bienville, having been informed that the fort was almost finished, ordered the chief of the Tunicas to furnish him with thirty men to aid him in ascending the river, which was still very rapid, as he had but six men remaining in health. On the 26th we arrived at the Natchez and the Great Chief furnished him with one hundred men to remove his effects from the canoes to the fort. The next day we placed the few soldiers who remained in health to work upon the fort until the 2d of August, when it was entirely enclosed; and the Natchez covered the barracks, store-house, guard-house and magazine with bark, which was finished on the 5th. On the 25th about thirty Yasous and six hundred Natchez, without arms, came to dance the calumet before the fort to show their joy at having the French established among them. On the 28th, M. de Bienville, seeing that all was tranquil and he had nothing to fear from the Natchez, gave instructions to M. de Pailloux what to do, and took his departure the next day for Mobile, where he had to render an account to M. de la Mothe Cadillac. On the 4th of October he arrived at Fort Louis de la Mobile, where he found an order from the king appointing him commander-in-chief of the colony during the absence of M. de L'Epinay who had been appointed governor in place of M. de la Mothe Cadillac."

Bienville was acting governor until the arrival of L'Epinay in March, 1717. A new intendant commissary accompanied him, M. Hubert, the successor of Duclos. It was undoubtedly a disappointment to Bienville not to be rewarded with the governorship. In its place the new governor brought to him the decoration of the cross of St. Louis and a royal patent granting him Horn Island on the coast of Mississippi, as a reward for the eminent services he had rendered the colony. Again were colonial politics divided into two parties, supports of Bienville and L'Epinay.

From the various accounts of Governor L'Epinay's advent as an administrator it is evident that his new authority clashed with the long-established influence and wishes of Bienville. It is also evident that the latter's influence was great in the affairs of the colony outside of office. In fact, many statements scattered through the narratives of that period represent Bienville as having almost equal authority with L'Epinay.

It was about this time that the attention of the colonists was directed to the choice of a location for a city on the right bank of the Mississippi which Bienville, more anxious each day to remove to the river, had reported to the new governor as the most favorable location for a great commercial emporium. Thus the site of New Orleans had an early and ardent advocate in Bienville. At the same time influences were hard at work to make Fort Rosalie, already established, the new capital, as will be seen from the following extract from *Dumont's Historical Memoirs:*

"This post is a hundred leagues from the capital up the River St. Louis (Mississippi) and was begun in 1717 (1716) by the Sieurs Hubert and Le Page, before any concessionary had arrived in the province. Le Page had already begun to cultivate a plot, a league and a half from where the capital is now, but he abandoned it to go to the Natchez with the Sieur Hubert and build a place there. The latter besides being a settler was also commissary and director. He was a man of talent; and of all that part chose, a league from the bank of the river, what he deemed the most excellent spot, where he raised a house which he called St. Catharine's. He had a great idea of this post at the Natchez, so that when there was a talk of forming a second establishment he advised building the capital there and making merely a depot of New Orleans.

"The opinion of M. de Bienville, the commandant, prevailed: for having been a very long time in the country, where he came with his brother, M. d'Iberville, the famous navigator, he was believed to know better than any other the most proper locality for the capital of the colony. This did not discourage the Sieur Hubert; he went to France in hopes of carrying out his views, and his project having in fact found favor with the minister he was about to return to Louisiana when he fell sick and died. After his death St. Catharine's was sold to Sieur de Koly and passed into his hands."

NATCHEZ DISTRICT AND FORT ROSALIE

Dumont's Memoirs continue: "As the soil at Natchez is excellent, many Frenchmen, soldiers and workmen, after obtaining their discharge, went and settled there and new dwellings were built. Most bought their lands of the Indians of the place, who lay more than a league and a quarter from the river bank in five

villages half a league apart. That called the Great Village, the residence of the great chief of the tribe, was built along a little river called White River, St. Catharine's Creek.

"West of this village the French built a fort on a hill and called it Fort Rosalie (in honor of Madame la duchesse de Pontchartrain). It was merely a plot twenty-five fathoms long by fifteen broad, inclosed with palisades without any bastion. Inside near the gate was the guardhouse, and three fathoms along the palisade ran the barracks for the soldiers. At the other, opposite the gate, a cabin had been raised for the residence of the commanding officer, and on the right of the entrance was the powder magazine."

THE COLONY UNDER THE WESTERN (MISSISSIPPI) COMPANY

Completely disillusioned as to his ability to maintain a monopoly of trade in Louisiana, or even to amass a fortune for himself and followers in gold, silver, mineral ores, furs and barter with the Indians, barred out of the Spanish ports and harassed on all sides by the English, Crozat surrendered his charter to the king in August, 1717. The venture had thrown him heavily in debt; in short, it had ruined him in finances and credit.

Nothing daunted, the Western Company, more popularly known as the Mississippi Company, under the notorious Scotch promoter and speculator, John Law, was ready to step into the breach, for the lure still held a charm for both the homeseeker and the fortune hunter of the old world. In the month following Crozat's surrender, the Mississippi Company was chartered for twenty-five years, with even more extensive powers and privileges than those granted to Crozat. It not only made over Louisiana to the new corporation and monopoly, but gave it "the privilege of receiving, to the exclusion of all other persons in our colony of Canada from the 1st of January, 1718, until and including the last day of December, 1742, all the beaver, fat and dry, which the inhabitants of the said colony shall have traded." As is well known, the beaver trade of Canada was extensive and was thereby for a period of twenty-five years thrown into the hands of the Western Company.

Yet, although the new monopoly started its really brilliant career under false pretenses by pretending that Louisiana was rich in gold and silver, and thereby expanded its credit with the moneyed classes in France, Bienville, after persistent effort, kept

Iberville's policy uppermost and sought to establish the southern colony on the true basis of agricultural development. Fortunately he administered its affairs during the period that the Mississippi Company held sway over Louisiana. At the time that Louisiana was again placed by the king in the keeping of a monopoly it numbered about seven hundred persons and four hundred head of cattle. Agriculture still had no marked place in its wealth, but the trade between the garrisons and inhabitants with the Indians and the Spaniards at Pensacola produced a revenue estimated at about $12,000 per annum. As this small trade was even considered harmful to the settled habits of the colonists, Bienville and other far-seeing leaders had proposed to form plantations on the banks of the Mississippi to cultivate tobacco, rice, silk and indigo, as well as to furnish masts, pitch and tar to France and the West Indies.

BIENVILLE, AS GOVERNOR, FOUNDS NEW ORLEANS

With all its vicissitudes the Mobile capital had advanced and the affairs of the colony were in a somewhat favorable condition. On the 9th of February, 1718, three ships of the Western Company arrived at Dauphin Island. They brought over M. de Boisbriant, the king's lieutenant and counsin of Bienville, a recall for Governor L'Epinay and a commission for Bienville to resume the gubernatorial office. One of the first acts of his administration was to select the site on the banks of the Mississippi that he intended to make the future capital of the colony and leave fifty men to begin a clearance and erect houses. He named the future town New Orleans, in honor of Philip of Orleans, regent of France. He became thoroughly enamoured of his new venture and his decision disposed of the aspirations of Hubert and his supporters in favor of Natchez as the capital, though François Xavier Martin in his *History of Louisiana* says that if the French had remained in possession of the whole Province of Louisiana no doubt in the course of time the spot on which the city of Natchez now stands might have become the center of population of the colony.

CONCESSIONS LOCATED AND SETTLED

The three ships which brought the new officials from France also landed about five hundred colonists to establish themselves

JOHN LAW OF LAURISTON, FOUNDER OF THE WESTERN COMPANY

From a Portrait

on various concessions granted by the Western Company to leading French gentlemen. The first of these concessions was that of M. Paris du Vernay, twenty-eight leagues above New Orleans on the site of the old Baya-Ogoulas village. Twenty-eight colonists settled upon it and soon began to be self-sustaining. Besides the cultivation of the land, the raising of silk-worms and the manufacture of silk were to be undertaken, for which a quantity of mulberry trees had been brought over. The concession of M. de Muys occupied the site of the old Tensas village, and was held by two nephews of the proprietor and about eighty laborers and servants. Bernard de la Harpe and others occupied concessions on Red River. M. du Pratz, who first settled on his grant above New Orleans afterward moved to the Natchez district. M. de la Houssaye, a gentleman of Picardy, with fifteen other persons settled, it is recorded in original records, near the Great Village of the Natchez, and the tract was afterward bought by Penicaut, the author-carpenter, whose interesting though somewhat gossipy narratives of the period have been quoted. These and other concessions were subsequently settled by other colonists as shipload after shipload arrived from the motherland bringing with them representatives of the most industrious and worthy families of France. That a certain number of undesirables also came is as true of Louisiana as it is of the Virginia and Massachusetts colonies.

In October, 1718, M. de Boisbriant set out, with several officers, to take command of the country of the Illinois as its governor. At the same time Bienville sent a lieutenant and thirty men to establish a fort among the Yasous. Upon his arirval there, he selected an elevated situation about four leagues from the mouth of the river on the right bank ascending, and only a short distance from the Indian village. It was completed as Fort St. Claude and was destroyed by the Yasous in 1729, two weeks after the massacre at Natchez.

The year 1719 was full of events for the colony. Colonization was brisk, not a few settlers going to found homes or work upon the concessions along the little River St. Catharine's. Workmen, soldiers and negroes—the latter now becoming numerous—as well as whole families, were distributed among the Mississippi lands which were being settled and improved.

THE CAPTURE OF PENSACOLA

When the news reached Bienville that the king of Spain had refused to sign the triple alliance on January 9, 1719, and that, in consequence, France had declared war on her neighbor, the colonial governor immediately called a council of war. That body agreed to attack Pensacola. In May Bienville and his brother Chateauguay led eight hundred Frenchmen gathered from the garrisons and a large body of Indians (for the most part Mobilians) to the Spanish port and invested it by land, while his other brother, Serigny, who had brought the news of war to the colony on the warship *Compt de Toulouse* on the 19th of April, with four ships, prepared to bombard the fort from the sea. The resistance of the Spaniards was slight. According to agreement while the French occupied the fort they with a fine nobility of spirit left it intact, with all its contents undisturbed. Bienville returned to Mobile and his brother Chateauguay retained possession of Pensacola until the appearance before it, a short time afterward, of a powerful Spanish fleet from Cuba. The Spaniards recaptured Pensacola and carried Chateauguay a prisoner to Havana. Subsequently for twelve days the enemy blockaded Dauphin Island and made various attempts to land, but were repulsed by the French under the command of the gallant St. Denis. Both the Mobile Indians and colonists from the Mississippi River concessions joined forces in resisting the Spaniards and driving them back to Pensacola. Later the city was recaptured by Bienville and St. Denis with the help of Champmeslin by sea.

In September four French ships of the line and a smaller vessel, under an admiral, assisted by Governor Bienville who sent St. Denis with a force of several hundred Indians to attack by land, made a successful investment of the city. It was not returned to Spain until 1721. Its two forts were plundered and demolished, and less than two weeks after the French fleet sailed for Pensacola it was again headed for France, leaving the flag of Spain still flying from the forts as a decoy to draw the Spanish provision ships, a number of which loaded with flour were captured in this manner.

From May to September were four stirring months for the people of the Mississippi-Louisiana country, but now the French were to return to internal affairs.

RE-ESTABLISHMENT OF OLD BILOXI

The Superior Council of the colony, which had been created as an experiment in 1712 and made a permanent body in 1716 with enlarged powers and judges established throughout the Province, disagreed with Bienville as to the advisability of transferring governmental headquarters from the seacoast to New Orleans on the Mississippi, the subject of a reestablishment of the capital having come up again. The Council seems to have been both a court of justice and an advisory body and in 1719 its members were Bienville, governor; Hubert, intendant; Boisbriant and Chateauguay, lieutenants of the king; and Villardo, L'Archambault and Legac. The attorney general was Cartier de Baume, and Couture was secretary of the Council.

It was at this meeting of the Council that a majority decided to return the seat of government to Old Biloxi, the fire referred to by historians not having occurred at that time. In 1719, one of the most conspicuous years of the colony's existence since its establishment on the Mobile, Dumont records in his *Memoirs* that Old Biloxi on the eastern shore of the Bay of Biloxi was through the influence of the majority of the Superior Council reestablished as the capital, and the colony removed to that place in November and December of 1719.

The cause for the removal of the government from Mobile, which had weathered the storms and was beginning to feel conscious of life and being is not clearly shown, though one feels sure that in view of the fact that Dauphin Island was no longer a suitable place for the magazines, provisions and other stores, being choked with sand, Bienville did not care to remain in that locality. Though now in possession of Pensacola, he did not even feel secure with his government and main colony so near the old haunts of the haughty emissaries of Spain, who were still powerful at Havana. His eyes sought constantly the snug places along the Old Biloxi Bay, or even better, for the defense of his still helpless people, the inland waters of the great river. From such vantage ground, he could scurry out at will and pounce upon his enemies, knowing at the same time that his small capital was safe from the menacing warships that infested the main.

Historians all disagree as to the exact site on the Bay of Biloxi for the reestablishment of the colony, both Gayarré and Fortier confidently give the year and date as December, 1719,

though Fortier locates it on the west shore of Biloxi Bay while Martin and Gayarré locate it on the east shore of the entrance of the bay. It is very certain, however, that the colonial capital was reestablished at Old Biloxi or a site very near the old fort in November and December of 1719 before the colony was removed to the site of New Biloxi.

From *Dumont's Memoirs*, kept at the time of the reestablishment of the capital on or near its original situation, the following account is taken:

"This new post was a bluff or little mountain on the mainland to which the name Old Biloxi was given because it had formerly been a village of Indians who bore that name. To go and prepare at this place suitable and necessary dwellings for the colony to be transported there, the commandant selected the Sieur de Valdeterre, to whom he gave his orders. He sent with him some workmen and a company of stout German soldiers. They embarked on the vessel *Two Brothers*, with the provisions, tools and utensils necessary to form that establishment. They had only thirty-eight leagues to go by sea to reach Ship Island, but on the way the vessel touched, and was on the point of being lost, so that to save her they had to throw overboard all her cannon. After much trouble and loss they got off, and went and anchored inside of Ship Island, a good league and a half from the shore, not being able to get any nearer for the sand-banks, which run very far out, and over which there is only water enough for common boats. As soon as she had anchored, they let down the boat and canoe, and in these the detachment embarked and reached New Biloxi, where they found an old Canadian named Deslots, who received them as well as he possibly could. They remained with this *habitant* two or three days to rest, and then went to visit the site selected by the commandant for the new post. It was not yet cleared, so that they had to begin by preparing the ground. They set to work in the month of November, 1719, and the soldiers kept themselves warm with blows of axe and spade, some clearing the grass and brush, others in felling trees and making posts or palisades, which were carefully laid aside near the landing-place, with the wood prepared for building cabins. After fifteen days' hard work they set fire to several places, and the devouring element reducing to ashes that heaps of stumps, brush, canes, and shrubs, left a fine large place cleared. They began by raising

AN ANCIENT HOUSE OF BILOXI

Reputed to have been built early in the 18th century. The lower walls are made of clay and moss

OLD CANNON TAKEN FROM A VESSEL SUNK IN THE BACK BAY OF BILOXI

Reputed as being a part of the fleet of Iberville, who built Fort Maurepas (Old Biloxi) in 1699

some cabins for the soldiers, who till then had slept under tents, or under 'berre', a kind of bed, made on the ground, and covered by means of a ring above, with a large tent-cloth eighteen ells long and five or six wide. Without this precaution it would be impossible to close an eye all night on account of the trouble given by the mosquitoes and gnats. They then laid out on the spacious ground sites for cabins, raised dwellings for the commandant and officers, built magazines, and even constructed a cistern. This work was, as I have said, done in the winter, a season consequently when provisions for the workmen were plenty, the Biloxi Indians bringing in game of all kinds, buffalo, bear, deer, duck, and seal, to trade for merchandise. * * *"

"On the other hand," Dumont continues, "M. de Bienville, seeing the establishment at Old Biloxi pretty well advanced, transported there all the provisions, merchandise and munitions of war on Dauphin Island. Then you might have seen the whole staff, soldiers, workmen, officers and *habitans*, abandon that island, which had been the cradle of the colony, to repair to the new post and take possession of the continent, leaving there only a sergeant and ten men to guard it."

THE "CASKET GIRLS"

In connection with the statement by Dumont, La Harpe, Martin, Gayarré, Fortier and others that the capital was removed from Mobile and Dauphin Island to the Bay of Biloxi in November and December, 1719, it is well to take some notice of the first "Casket Girls" to arrive in the colony. A number of women, through inducements of a varied nature and some even sent, it is said, by force, with others who came of their own volition, were transported on the ships constantly arriving at the various posts and garrisons of the Province of Louisiana. It was a prospect that stirred them variously, but for the most part it was the strong instinct to establish homes. The young women, however, who were selected by the heads of the church institutions from the convents and schools, were sometimes provided with an outfit of clothes packed in a little chest or trunk (casquette). These were always sent in the special care of the representatives of the Ursuline nuns, who guarded them until their marriage to the colonists. Several companies of these arrived at various periods of the settlement of the country to become the ancestors of the

women who later proudly claimed descent from the "*filles a la cassette.*" The first company of twenty-three coming with nuns of which we have any account landed at the Mobile fort. The second arrival came, says Dumont, on a ship arriving at Dauphin Island in 1719. These were later removed by Bienville from Dauphin Island with the colony to Biloxi which was then being reestablished on the eastern entrance of the bay. Dumont, writing of the colony on Dauphin Island at this time, says: "At this juncture arrived a vessel sent from France loaded with young women, a necessary shipment, without which it was impossible to make any solid establishment in the country." This vessel brought to Louisiana three hundred colonists, and eighty girls under the care of Sisters Gertrude, Saint Louise and Marie. See the treaty with the Ursuline Nuns.

In connection with the third arrival of young women at Ship Island in 1721 under the care of nuns, for Biloxi, Penicaut records that these came with "a marriage outfit," a fact that gained for them the title of "Casket Girls."

"On the 3rd of January, 1721," he records, "the ships *La Gironde and La Volage* arrived at Ship Island with about 300 persons for the concessions of M. le Blanc and Count Belleville, on the Yazoo River, and Mme. Mezieres, on the Bay of St. Louis, and Mme. Chaumont, on Pascagoula Bay. On the 5th, the ship *La Baleine* also arrived with a number of passengers, and eighty young women, who were sent over at the request of the directors, who thought it was impossible to make a solid establishment without them. They were selected by the bishop from one of the public institutions of Paris, and had been brought up and educated there from their childhood. They were placed by him under the charge of three nuns—Sisters Gertrude, Louise and Bergere. Each one was provided with a marriage outfit and was not to marry without the consent of Sister Gertrude. In a short time after their arrival, they were disposed of to good advantage, with a request from the colonists, that the company would continue their favors."

Sister Gertrude seems to have been a great favorite with the colonists and the only feature of her various departures for France that gave them any consolation was that she each time promised to bring more girls to the Province. That she kept her promise is seen in the fact that she brought over others from time to time for the colony on the establishment of the capital at New

Orleans, to which place the Ursuline nuns according to an agreement with the Company of the Indies in 1727 came to reside permanently.

THE COLONIAL CAPITAL ESTABLISHED AT NEW BILOXI

When New Biloxi was established west of the entrance of the Bay of Biloxi (the site of the city of Biloxi) it was called Fort Louis, as several posts were called at that period, a fact that at times brought about confusion in original records, narratives and traditions. Of the length of time Bienville remained at Old Biloxi after he had removed the government there from Mobile and Dauphin Island—Fortier says in December, 1719—historians have never seemed to have any clear knowledge, and their opinions conflict in this particular as much as they do in the re-location of Old Biloxi, an extended account of which has just been given. From this account it is seen that at the place where New Biloxi was established there was already a settlement commenced by a Canadian, Deslots, to which a number of ships brought numerous colonists with their effects. There, Dumont says in his *Memoirs*, each took a plot along the coast, cleared it and raised cabins; but they had this disadvantage, when they wished to go to Old Biloxi to see the commandant they had to cross the water a good league, and there was pressure brought to bear on Bienville to remove to the new site facing the Gulf, the site where the city now stands.

As the establishment of Old Biloxi and New Biloxi (Fort Louis) is of more importance in a history of Mississippi than the location of any other of the several colonial capitals, for that reason original records that treat of the subject, made by the highest officials in authority, have been carefully translated and are presented in full that the reader may have a clearly defined knowledge of the location of New Biloxi as the colonial capital of the Louisiana-Mississippi country.

"Deliberation of the Council of Commerce held at Biloxi, the 25th of November, 1720.

"Balance or parallel between the Old and New Biloxi, to make the general establishment of the Colony. After having visited and examined the situation of the Old Biloxi, we have found many objections to making the establishment of the company there.

"First. It is situated in a spot surrounded by marshes,

whence come fogs which corrupt the air, causing sickness and deaths, which have carried away in six months nearly 500 persons and which continue at present, on account of the large number of sick.

"Second. Moreover the water which is drunk there is very bad and in summer is lacking altogether.

"Third. It is situated in a bay covered by Deer Island, distant five leagues from the roadstead of Ship Island, which is a great inconvenience for the transportation of goods unloaded from vessels to the magazines of the Company, there being a number of sand banks at the points at the east and west and in the passes of the bay, on which the most experienced pilots run aground every moment with long-boats which draw only one or two feet of water, and cannot approach the landing or earth more than twenty fathoms, which makes this place [im]proper for this establishment.

"Fourth. And as one is distant five long leagues from the roadstead where the vessels anchor, which Deer Island hides, all sorts of accidents might happen there without one being able to see them or give them any aid, even from the southeast winds, which are counter to those from the other parts of the coast, but which often drive into this bay some flat boats which cannot profit by these winds to go to New Orleans, and cannot get out from there.

"Fifth. Besides there is very little ground for an establishment, being cut off by marshes, in which it has been necessary to put barracks for soldiers and colonists, which has doubtless caused all this sickness and death, together with the bad water which they drink there.

"Sixth. It is also to be remarked that the waters in this bay being stagnant, the worms are more active there; these reasons have caused me to visit the New Biloxi to see if a healthier and better establishment could not be made there.

"First. I found there an elevated site, dry, healthy, and very good air, with space sufficient to establish there magazines, hospitals, and all that will be necessary for a good establishment.

"Second. The site is surrounded by a running stream which comes from a spring whose water is clear, clean, very good, and which does not dry up at all.

"Third and Fourth. It is opposite the Ship Island roadstead

OLD FRENCH FORT NEAR PASCAGOULA

Built by Colonel De La Point in 1718 on a land grant given to his aunt, a duchess, by Louis XIV. Elizabeth Farragut, a sister of Admiral Farragut, was married in this house, November 22, 1824, to Celestin Du Pont, a kinsman of Admiral Du Pont of the French Navy. She died at Pascagoula in 1888

three leagues away, and within distance to furnish succor to vessels anchored there and to those which come from the sea; besides the transportation of merchandise will be made in much less time. Long-boats can make at least two trips there while they make one to the Old Biloxi.

"Fifth. There is a site there large enough, as I have said, to make a fort, magazines, hospitals, barracks, and lodgings for the Governor, the Directors, and for the colonists who want to settle there.

"Sixth. It is true that the coast is flat everywhere and that the long-boats cannot approach land, but by means of two piers we will overcome that difficulty, and they will form a port to put them under shelter from the bad winds, besides they will be much less subject to being eaten by worms because of the great movement of the sea.

"After having considered everything well I have found that it would be proper for the good of the Company and of the Colony, according to the best opinion of M. de Bienville and the Directors for the reasons mentioned to move the establishment from the Old Biloxi to the New.

"Done at Old Biloxi this the 20th of December, 1720.

"Approved. Signed:

"Le Blond de La Tour.

"Noted that in making the establishment at the New Biloxi the expense would be avoided of building two forts, at the east and the west of Deer Island, to defend the entrance and prevent anyone from coming to burn the brigantines and boats moored at Old Biloxi.

"All the just reasons explained above appear to me so sensible and advantageous to make the principal establishment at the New Biloxi that I am of that opinion.

"Signed: Bienville.

"There is no difficulty (although the Company's order is for the establishment at Old Biloxi) to make it at the new provided the solidity of the dike that has been built is assured, which will serve only for boats drawing five to six feet of water; the other boats up to eight feet will be obliged to come to be repaired at the Old Biloxi until the establishments at Ship Island and the fort are made; and also the maintenance of the troops and vessels will be more considerable in order to put ourselves in a position of

security both on the side of the sea as well as on the side of the land.

"Signed: C. Legac.

"Having seen and examined the reasons given in the memorial which has as its title Comparison of the Old and New Biloxi, my feeling is that the principal establishment of the Company and the residence of the general staff should be at the New Biloxi in the place which was visited for this purpose.

"Signed: Delorme.

"Resolution on the subject of the principal establishment of the colony and of the residence of the staff to be made at New Biloxi:

"On the advice given in writing in the memorial which has for its title a Comparison of the Old and New Biloxi, the Council has decided that the general estalishment be made at New Biloxi, that they should work there immediately, and that they should stop at the old fort.

"Done at the Old Biloxi the 20th of December, 1720. Signed: Bienville, C. Legac, Delorme, and Le Blond de La Tour."

Concerning the removal of the capital to New Biloxi M. Le Blond de la Tour, January 8th, 1721, submitted the following to the authorities:

"Gentlemen:

"* * * * From the Cape to this place I have remained in a precarious condition and I have not even yet entirely recovered. This has not prevented me, Gentlemen, from visiting on my arrival this post where there seemed to me to be many difficulties for a good settlement. Besides the very bad air, nearly 500 to 600 persons having died there in 5 to 6 months, and in spite of the cold weather that we have now others are dying there every day; the very marshy water and in summer there is none at all; all this made me decide, Gentlemen, to go on the next day to visit the situation of New Biloxi, which is very advantageous, surrounded by a stream flowing with very good water, and along the slope several springs, and the air excellent. I have made a sort of balance or parallel of these two posts, which I have presented to the Directors, and which I have the honor of sending you herewith. These gentlemen have approved and consented to the change which was still only in the air, and I hope, Gentlemen, that you will also approve when you have examined the

matter, and the interest that the Company took in it as much on account of the preservation of your officers and colonists as the ease there will be in transporting the goods from the vessels to the warehouse where two trips will always be made from the roadstead of Ship Island to New Biloxi while only one would be made to Old (Biloxi). One will be in a position to see what is taking place in this roadstead, and in a position to give assistance to the ships that need it whether in the open sea or at anchor, which cannot be done from here because of the distance and because it is not possible to see all the roadstead of Ship Island, Old Biloxi being hidden in a bay which is covered by Deer Island, and where there is no water. The long-boats and boats always touch bottom to come there.

"You will find herewith, Gentlemen, four plans that I have made for this new settlement, which I have presented to these gentlemen to see which they would judge proper to be executed. They have chosen that which is numbered 3. That was also my opinion both with reference to the few laborers that we have and materials to undertake greater works, and since there are in that one of the lodgings and storehouses necessary, which would not be found in the same way in that numbered 4 in which we should be rather crowded. Besides it seemed to me that this was the idea of the Company. And if it wishes some day to make a larger settlement there, it will be possible to make toward the east of this fort a city for which the fort will serve as a citadel.

"As all the coast is very flat and since the long-boats can not approach the land and we are obliged to put the people in the water to unload the goods of the Company, I have planned two jetties which will form a port in which the long-boats will be safe and can be unloaded at all times. I am having the stream directed into it, which will not fail to dig it out and to keep it in good condition.

"Mr. de Boispinel is at New Biloxi with laborers to work at clearing the ground. When the place is clean I shall go there to lay out the work and to put it all in motion. Next I shall pass to Ship Island to plan the works that will be necessary there by means of some fort so that this roadstead may be in safety. Next I shall pass to Dauphin Island, to Mobile and Pensacola to see what there is to do there. And then afterwards I shall go and visit the entrance of the Mississippi River, and New Orleans, and

I shall have the honor of submitting to you an account of my trip.

"I have found here the Sieur Devin who has been a draughtsman of Mr. de Serigny who wished to go back to France. As he is a very intelligent man and very prudent, I have asked the Directors to keep him in the service of the Company. He will be very useful, and although I have a competent draughtsman there will be abundance of work to keep them both busy.

"I am having a large scale map of Old Biloxi made in order that you may judge, Gentlemen, of its situation which is a plateau surrounded by swamps from which there come fogs that infect the air. And I do not know how they have been able to stand it during the hot weather. I fear that this map may not be finished before the departure of the *Aventurier*, if I can not have the honor of sending it to you I shall by the first ship that departs after it.

"I have handed, Gentlemen, to Mr. de Bienville and the Directors who were assembled, the treaty that I have had the honor of making with the Company, in order to have the same honors and privileges as these gentlemen, and to have entrée into the Sovereign Council. * * * In order that we may be as soon as possible in a position to defend ourselves in case of some rupture, I shall begin, Gentlemen, to have the precincts of the fort that I propose at New Biloxi enclosed with good posts strengthened with timbers inside, with loopholes, until we are in a position to make it in the regular manner, and if we cannot have rough stone or bricks sufficient for that I shall make it of wood in such a way that the parapets and the ramparts will be as thick as the forts of France, provided I have sufficient iron.

"In spite of the desire that I have, Gentlemen, to hasten the work I foresee it will not proceed so quickly as I might wish on account of the few people that we have. There remain only 58 of those whom M. le Blanc let you have, who (i. e. the men) arrived yesterday on the *Seine*. Half of them perished in the passage on account of the bad treatment of the captain."

From the foregoing carefully conducted researches and accurate translations one can gain a correct knowledge of the location of the capital at various periods along the Gulf coast.

When New Biloxi was well advanced, Bienville transported the remaining provisions, merchandise and munitions of war from Dauphin Island, which was abandoned with the exception of

a sergeant and ten men left thereon as a guard. The new post on the west shore of Biloxi Bay thus became the capital of the colony. Dumont calls this historic move the "third establishment of the colony at Biloxi." Fort Maurepas, or Old Biloxi, was never thereafter reconstructed. The post at New Biloxi was also known as Fort Louis, the two names being interchangeable to designate the locality.

The Germans mentioned as being among the builders of New Biloxi had arrived at Ship Island in October, 1719, and were agriculturists as well as soldiers. As stated by Penicaut: "This was the first installment of twelve thousand Germans purchased by the Western Company from one of the princes of Germany to colonize Louisiana."

Soon after the French troops had captured Pensacola, the first cargo of slaves which the Western Company brought from Africa was disembarked at that port. A portion of the five hundred slaves was sent to a plantation opened by the Company opposite New Orleans, and the remainder chiefly to the agricultural settlements on the lower Mississippi. For several years afterward, or during the existence of the Western Company, the importation of slaves from Guinea was among the most profitable features of the enterprise.

LARGE MIGRATION TO NATCHEZ AND YAZOO DISTRICTS

With the conclusion of another peace between France and Spain in 1720 the tide of immigration again set strongly toward Louisiana, and the present state of Mississippi was especially favored. There was a movement of desirable concessionaries from the inundated lands near the Lower Mississippi to higher, healthier and not less fertile tracts farther north. Hubert, the director general of the province abandoned his residence near New Orleans and, with his family, sixty laborers and domestics, located on land at the Natchez settlement. On his arrival there, his entire establishment took lodgings with M. de la Loire des Ursins, director of the Western Company. On the following day Hubert loaded one of his largest batteaux with merchandise and ammunition and dispatched it to Boisbriant at the Illinois. He then visited the lands on the borders of the Little Natchez (St. Catharine's) River, where he located his concession and erected a large dwelling house. The land was about a league from Fort Rosalie

and extended into the prairies, which he plowed up and sowed with French wheat. He afterward erected a grist-mill, a forge and machine shops to manufacture arms and agricultural implements. He allowed M. de Montplaisir to locate himself on land about a league from his own for the purpose of planting tobacco, which succeeded admirably after the first year. In the following year Hubert resigned his office, sold his concession and returned to France.

DISAGREEMENTS WITH SUPERIORS

As has been noted, several of the chief officials of the Western Company had interests in that region and opposed the founding of New Orleans. This, with other matters in dispute, caused a breach with Bienville, and the Western Company felt called upon to act as arbiter. In February, 1721, Bienville received a communication from his superiors informing him, under date of October 31, 1720, that "it was with regret they had heard of a disagreement between him and the director-general of the company and that the king believed him in fault. It was, however, contemplated to appoint another director which they hoped would prevent any further disagreement in regard to the government of the province." Notwithstanding this censure Bienville was created a brigadier general of the king's troops and knight of the military order of St. Louis. The governor, who by this time had grown to be the strong personality that his youth had promised, defended himself on the ground that the condition of the colony should not be attributed to any neglect of his, but to the want of the receipt of the necessary supplies and to the extravagant powers granted to the company's board of directors.

COLLAPSE OF THE WESTERN COMPANY

In June, 1721, the news of Law's flight from France and the collapse of his Western Company reached Louisiana. Law's concession and his "Grand Duchy" on the Arkansas fell to pieces. The Germans whom he had imported to develop it left their lands; two hundred, says Martin, came to Biloxi, and the others created the German Coast, consisting of small plantations or truck gardens about thirty miles above New Orleans. This was the most direct effect upon Louisiana of the bursting of what is called "the Mississippi Bubble."

Notwithstanding the disorganization of the affairs of the company, whose financial head had fallen, the colonies struggled on under the leadership of Bienville. Although before the beginning of the year 1722 the expenditures had amounted to 1,163,256 livres, or nearly $366,000, without any equivalent return, agriculture had made some stable progress toward the day so much to be desired when the colony should be self-sustaining.

Among the many other numerous events and movements that reflect the private and public affairs of the capital of New Biloxi was Le Page's visit in 1721 who was appointed Commandant Inspector of Commerce at the Bay of Bernard. It was his opinion that New Orleans was a better site for the capital and he heartily favored the advocates of that place. He complained of the situation from the standpoint of shallowness of the water, also noting that the ground was not as fertile as that near the river. During his visit the Law concession in the Arkansas was attracting much attention and Le Page records that the people intended for it had already arrived at Biloxi. The concession was on the most extensive and imposing scale of any of the province. "It was to be four leagues square," it is recorded, established as a splendid duchy, with equipment for a company of dragoons and goods valued at more than a million livres. About sixteen hundred people were to reside in the possession. It was the little capital of New Biloxi that witnessed the extravaganza and it was to the same place that the disillusioned colonists were to return until settled elsewhere in the province. With all the criticism of the coast in his efforts to set the New Orleans site forward as the future capital of the province Le Page remained at Biloxi some time, meeting many noted personages and doubtless marvelling greatly at the phenomenal undertaking of the Scotch nabob, who had Biloxi for his headquarters. While Le Page was there he met Father Charlevoix, and we find that fact with many of a more extraordinary nature recorded in his long spun narrative.

That there was more strict supervision, attempted at least, of the Louisiana country is seen in the fact that a law by which foreign commerce was forbidden was enacted by the French government in 1720; another forbidding all resident persons to carry swords; another in 1721 forbidding the indiscriminate firing of cannon as a matter of economy in the waste of powder and as a prevention of alarm at night suffered by the colonists. There

were other good reasons for the law, the penalty reading "it is expressly forbidden to fire a single cannon under any pretext in the borders of the French colonies unless as a signal of distress or other necessity without the express permission of the officer of the king commanding in the place where the ships were anchored under the penalty of a fine of one hundred livres for the first offense and of double that amount if the offense is repeated." This curtailed the constant salute on the arrival of the near great to the colony.

In May, 1721, the ordinance relating to redemptioners was reaffirmed; these immigrants corresponded to the indentured servants of the Virginia colonies; their service was fixed at three years, after which they were free and exempt from further control. Another ordinance of 1721 allowed merchants who were permitted to trade with the colonies to purchase redemptioners. The poor unfavored lout whom no one wanted, not filling the requirement, "able bodied, between the ages of seventeen and forty and in size not under four feet," but who by some chance had been included with the lot, was given around to the planters. A further ordinance of December 23, 1721, as progressive as the rest, though terribly lacking in sentiment, provided for the imprisonment of sailors who loitered in the colonies. This and many other things all reveal the active life and a government set in full operation at New Biloxi, which was destined in future years to become one of the most interesting and important cities of Mississippi.

COLONIAL CAPITAL ESTABLISHED AT NEW ORLEANS

The Louisiana country was now to enter upon a new era of its history, and all hopes that Natchez might become its capital and New Orleans simply a depot of supplies were dissipated. The new post of New Orleans which had already been fixed upon as the capital by Bienville with the aid of Pauger, the engineer, and temporarily ignored by his enemies, was now given official recognition by the arrival of two royal commissaries to dispense justice. Furthermore by the removal of the king's stores in the summer of 1722 and by the fixing of the governor general's residence in the expanding settlement above the mouth of the Mississippi.

The entire country had been a subordinate dependence upon the jurisdiction of the governor general of Canada. In 1723 it

was determined to erect it into an independent government, and early in that year it was divided into nine districts for civil and military purposes. Each was under the jurisdiction of a commandant and a judge; sometimes the same person filled both offices. The districts were as follows, and it will be seen that the territory embraced in the State of Mississippi was then the most important section of the great province of Louisiana: (1) District of the Alibamons; (2) District of Mobile; (3) District of Biloxi; (4) District of New Orleans; (5) District of Natchez; (6) District of the Yazoo; (7) District of the Illinois and Wabash; (8) District of the Arkansas; (9) District of the Natchitoches.

Following the establishment of New Orleans as the capital, the ships still persisted in going to Biloxi (Fort Louis), and it was several months before matters were fully adjusted in the new town. As its subsequent history concerns Louisiana we shall refer only to important events.

In 1723 the transfer of the rights in Louisiana of the Western Company to the parent organization, the Company of the Indies, made little ripple in the affairs of the colony. More important locally was the outbreak of the Natchez Indians, which presaged the greater rebellion of 1729 and a brutal massacre of settlers in the district. A private quarrel between a warrior and a sergeant in Fort Rosalie led to depredations upon the settlements along the St. Catherine's, and losses of life upon both sides. A reconciliation appeared to have taken place between the leading Natchez chief and Bienville, when the truce was broken by the governor general himself. Authorities differ as to the justice or wisdom of Bienville's actions.

It was several months after peace seemed to have been assured that Bienville arrived at Fort Rosalie with seven hundred troops. An attack was immediately made upon the villages of the Natchez and the unsuspecting natives were slain without mercy and their towns burned. During four days this destruction and slaughter continued. At length Bienville agreed to desist, provided the suns would deliver to him a certain obnoxious chief. The Indians offered various warriors as vicarious sacrifices for the chief demanded, and the heads of two of these were actually carried to the governor; but without avail. Bienville finally obtained the obnoxious Sun, released the Indian hostages

and returned to New Orleans. From this time on, the French became more aggressive and the Natchez more distrustful and bitter.

DISTRESSING CONDITIONS

The disquietude caused by the Indian troubles was intensified by a distressing visitation of nature. In September, 1723, occurred a terrible equinoctial storm. The crops had just approached maturity and the whole southern portion of the province was greatly injured. Such was the violence of the storm at New Orleans that the church, the hospital and thirty houses were leveled to the ground. Three vessels lying in the river were thrown ashore and nearly destroyed. Much damage was sustained at Biloxi, Mobile and Natchez. Several vessels at Biloxi were entirely lost. The crops of rice were destroyed; many houses of the planters were blown down and their plantations otherwise injured. The scarcity of provisions, in consequence, was greatly increased and famine seemed to stare the colonists in the face. Supplies from France were cut off by the financial embarrassments of the mother country consequent upon the failure of Law's schemes; and many began to despair at the continuation of the untoward circumstances which brooded over the colony. Monette describing the situation says:

"Many discouraged at these things longed to see once more the vine-clad hills of France. Even the troops began to evince a spirit of insubordination and revolt. This was a new source of alarm. Fort Toulouse, among the Alibamons, had been deserted by the garrison, who attempted to escape, to their friends in Carolina. More recently a serious revolt had occurred close to headquarters; nor were those in command so fortunate as to capture and punish the offenders. A company of Swiss troops had been placed on board a schooner in the Bay of Biloxi in order to sail to the new headquarters at New Orleans. But they dreaded the dangers and hardships of the Mississippi swamps, sloughs and marshes no less than the sterile sands and lagoons of Biloxi, and their hearts were set on seeing the desirable settlements of South Carolina. No sooner had the schooner left the bay than the officers and soldiers, rising in open revolt, compelled the master and crew to sail for Charleston, where they all arrived in safety, with their baggage, arms and ammunition."

BIENVILLE DISCREDITED

As the accumulated misfortunes of the colony, even to storms and revolt, reacted upon those in power, the enemies of Bienville brought about his recall as governor-general. Immediately afterward, in 1725, the governor prepared to embark for France in order to fully answer his traducers. But the ship on which he was to sail sank in the roadstead of Dauphin Island, because of faulty construction, and Bienville's departure was delayed for several months. In the meantime Boisbriant had been appointed temporary commander at New Orleans. Although Bienville made his defense before the colonial authorities of the mother country he failed to be reinstated at this time.

PERIER'S ADMINISTRATION AND THE NATCHEZ MASSACRE

Boucher de la Perier received the appointment of governor-general of Louisiana on the 9th of August, 1726. He was a naval officer of distinction, a knight of St. Louis and had already made a record among the Sioux Indians of the north and in the Ohio valley. He had established Fort Beauharnais, on Lake Pepin, the French outpost of the Upper Mississippi valley, and while not as lasting an influence in the history of the province as Bienville, was for the time among the strongest of those who were building the New World empire for their king and country.

For nearly two years Louisiana continued to improve in prosperity after M. Perier entered upon the duties of governor. Immigrants from France and Canada continued to swell the population and to augment the resources of the province. The agricultural products of the older settlements in the Illinois country and on the Wabash yielded a welcome food supply to the new colonies and settlements on the Lower Mississipi. In the upper regions wheat, flour, corn, beef, pork, bacon, leather, tallow, hides, beeswax, bears oil, and many other useful articles of food, wear and trade, were produced in abundance. In Lower Louisiana, tobacco and rice had been produced in considerable quantities, and indigo, which had been introduced within three years, had already become a valuable staple product. Rice, tobacco and indigo had already been exported. The slaves from Africa and the redemptioners, or contract laborers from France, seemed to have solved the successful operation of the plantations.

By this time New Orleans had become a large commercial port, and the expanding agricultural communities of the Illinois and Wabash countries had established an active trade with the capital of Louisiana. Many pleasant cottages lined the banks of the Mississippi for more than twenty miles above New Orleans, and prosperous settlements had been founded on Red River and the Ouichita, at Natchez and on the Yazoo. No section gave greater promise of permanent growth and continued prosperity than the Natchez District.

Such an expansion of the white man's country, often with unjust and useless aggression, created unconcealed bitterness in the minds of the warlike and uncertain Chickasaws and the harassed Natchez. It is now known that the Chickasaws had planned to exterminate the colony before the Natchez conspiracy was perfected and executed.

Relations with the Natchez had been strained since the French post had been established in their country in 1716. The misconduct, cupidity and injustice of some of the French commanders at Fort Rosalie had continually inflamed the Indians with hatred and jealousy of the white invaders. While the Natchez tribe had declined in numbers and fighting strength and its territory contained only six small villages, the French garrison was also weak and the now prosperous French planters were scattered and isolated. Soon after Chopart was appointed commandant of the post he ordered the chief of the village of the White Apple to vacate his land upon which the Frenchman planned to establish a settlement of his countrymen. This outrage led eventually to the formation of the conspiracy and the execution of the massacre. The Natchez were also tempted to attack the fort on the arrival of a number of richly laden boats for the garrison and the colonists.

Father le Petit, in the following account of the last Natchez war, explains how the Natchez laid their plans for the massacre:

"First they divided themselves and sent into the fort, into the village (the Grand Village of the Natchez) and into the two grants, as many Indians as there were French in each of these places. Then they feigned that they were going out for a grand hunt and undertook to trade with the French for guns, powder and ball, offering to pay them as much and even more than was customary. In truth, as there was no reason to suspect their

fidelity, they made at that time an exchange of their poultry and corn for some arms and ammunition which they used advantageously against us. They had been on their guard against the Tchactas (Choctaws), but as for the Natchez, they never distrusted them. Having thus posted themselves in different houses, provided with the arms obtained from us, they attacked at the same time each his man, and in less than two hours they massacred more than two hundred of the French."

It appears from the account of the massacre of the French and the extinction of the Natchez published in Du Pratz' *History of Louisiana*, that one of the female suns, or princesses, Stung Arm by name, called by some historians Stelona, informed the French of the plot formed against them but to no purpose whatever. The commandant of the Natchez post, with some others, went out on a pleasure party the night preceding the day set for the massacre, to the Grand Village of the Natchez. He did not return to the fort until the break of day, when he was told again to be on his guard. The commandant immediately sent his interpreter to the village he had but just left and demanded of the Grand Sun whether he intended at the head of his warriors to attack the French. The Grand Sun, though but a young man, was able to effectually hoodwink the interpreter and the commandant, as will be gathered from the following account by Du Pratz: "The fatal moment was at last come. The Natchez set out on the eve of St. Andrew, 1729, taking care to bring with them one of the lower sort armed with a wooden hatchet, in order to knock down the Commandant. They had so high a contempt for him that no warrior would deign to kill him. The houses of the French filled with enemies, the fort in like manner with the natives who entered in at the gate and breaches, deprived the soldiers, without officers or even a sergeant at their head, of the means of self-defense.

"In the meantime the Grand Sun arrived with some warriors loaded with corn, when several shots were fired. As this firing was the signal, several other shots were heard at the same instant. Then the Commandant saw, but too late, his folly. He ran into his garden, whither he was pursued and killed. This massacre was executed everywhere at the same time. Of about seven hundred persons but few escaped to carry the dreadful news to the capital; on receiving which the governor and council

were sensibly affected and orders were dispatched everywhere to put people on their guard."

Diron d'Artaguette writing from Mobile on March 20th, 1730, states that at the time of the massacre at Fort Rosalie there were there 3 officers, 25 soldiers, 200 male colonists, 80 French women, 150 children, and 280 black slaves; a total of 738 inhabitants of whom 458 were white.

A list of persons killed is given, made by the Capuchin missionary to the Natchez:

"POST OF THE NATCHEZ. List of the persons massacred on the 28th of November, 1729. Register of the persons of the post of the Natchez who were massacred on the 28th of November, 1729, by the neighboring savages whose name the said post bears.

GENTLEMEN AND LADIES TO-WIT

	Men	Women	Children
De Chepart, Commandant	1	--	--
Massé, his lieutenant, his wife and niece	1	1	1
Desnoyers, second lieutenant, commandant of the town and director of the White Earth Concession	1	--	--
The Garrison composed of 24 men of whom the soldier named Belair alone escaped	23	--	--
Bailly, director	1	--	--
La Sonde, surgeon-major	1	--	--
Laurent Hurlot, assistant surgeon	1	--	--
Kneper, notary	1	--	--
François Dubrev, sacristan	1	--	--
Des Longrais, director of the Concession of Saint Catherine	1	--	--
La Renaudais, keeper of the warehouse of the White Earth	1	--	--
Pascal, captain of the company's brigantine, who arrived two days before	1	--	--
Caron, captain of the company's boat, who arrived two days before	1	--	--
La Loire des Ursins, formerly councillor	1	--	--
Sabanier, his wife and one of his children	1	1	1
Villeneuve, his wife and one of his children	1	1	1

Louis Mirault, tailor and his child (called St. Louis)	1	--	1
Louis Le Tortillier called La Marche*, his wife, his child	1	1	1
Livernais, one of his children, and his wife	1	1	1
Antoine Gavignon called Frape du Bord and 2 of his children	1	--	2
Julien Chartier	1	--	--
Jean Despace called Beauséjour and his child	1	--	1
Jean Charles Le Maire called Cambrelot	1	--	--
Louis Henry called the little Louis and 2 of his children	1	--	2
Picard, his wife and son-in-law, coppersmith	2	1	--
Leonard	1	--	--
Charante and 4 of his children	1	--	4
Antoine Jouard called Mouton (i. e. 'Sheep')	1	--	--
Jean George Schutz called Jean L'Allemand (i. e. 'the German')	1	--	--
Jean Roussin and his child	1	--	1
Pierre Billy called La Jeunesse (i. e. 'Youth')	1	--	--
Joseph Ducrot, cooper for the company	1	--	--
Pierre Dauvido called Le Bleu (i. e. 'Blue')	1	--	--
La Forc and his wife	1	1	--
Grimault La Plaine, his wife, his child, his niece	1	1	2
Le Houx, his child, his niece, formerly keeper of the warehouse at the Arkansas	1	--	2
Anselme Foucault called La Fleur (i. e. 'The Flower')	1	--	--
François Censier	1	--	--
Jean Delon	1	--	--
François Fertin and 2 of his children and his brother-in-law	2	--	2

* Le Tortillier means "the shuffler" or "the waddler"; La Marche means "the walk."

Gabriel Poulin	1	--	--
L'Evesque and his child	1	--	1
Pierre Lambremont and his child	1	--	1
Jean Louis Dupin	1	--	--
Jean Flandrin, his wife and two of his children	1	1	2
The wife of Michel Beau	--	1	--
Papin, interpreter, his wife and his two children	1	1	2
Louis Longueville	1	--	--
La Ferté	1	--	--
Jean Evrard, Bohemian	1	--	--
Stroup, Bohemian, his wife and his child	1	1	1
Estiene René	1	--	--
Lartault Tailleur	1	--	--
Bideau, his wife and his child	1	1	1
Ponconet, his wife and his two children	1	1	2
Modeste	1	--	--
Le Brasseur (i. e. 'The Brewer' by trade) and his wife	1	--	1
Barbier	1	--	--
Massiot	1	--	--
The wife of Canterelle, midwife	--	1	--
Guerin his wife and 2 of his children	1	1	2
The wife of Sondu goldsmith and her child	--	1	1
Pimon Robinet	1	--	--
Duchesne of the Invalides	1	--	--
Quidor and Pierre, his servant	1	1	--
Foulian, his wife and his child	1	1	1
Le Clerc and his wife	1	1	--
The nephew of Monsieur de Longrais	--	--	1
Madame, commander of the negroes of the White Earth	1	--	--
Pouvalin, his wife and his child	1	1	1
Robichon, his wife and his child	1	1	1
Auberlet, his wife and his child	1	1	1
Pierre Schmitt, his wife, his child and his brother-in-law	2	1	1
Gaspard Tilly, his wife, 2 children and his brother	2	1	2

Rosser, his wife and his child	1	1	1
La Douceur	1	--	--
A child of Nicolas La Cour	--	--	1
Le Grand Masson, his wife and 2 of his children	1	1	2
Sans Soucy, servant of Monsieur Guyot	1	--	--
Estiene, blacksmith with Monsieur de Longrais	1	--	--
The wife of Mirly, and her child	--	1	1
Pierre Le Blanc	1	--	--
Ducorroir, cooper	1	--	--
Pascal idem	1	--	--
La Lande	1	--	--
Goupil	1	--	--
Bonaventure	1	--	--
La Vieille, Bohemian Knight*	1	--	--
La Miette and her three children	--	1	3
Joly, cabinet-maker and his wife	1	1	--
Le Coeur idem	1	--	--
Leger idem	1	--	--
Isbra, carpenter	1	--	--
Baptiste idem	1	--	--
Jean Jouan idem	1	--	--
Ribert idem	1	--	--
Picard idem	1	--	--
Monthuy, his wife and his child	1	1	1
Pierre Toudou, his wife and his child	1	1	1
Beausoleil, servant of Sabanier	1	--	--
Cornseret, cooper	1	--	--
The widow Richard and her child	--	1	1
Pierre Letant	1	--	--
Benichon	1	--	--
Badeau	1	--	--
Le Maire, cooper	1	--	--
The Dauphiné woman	--	1	--
The Montauban woman and her two children	--	1	2

* There appears to be some mistake here. Translator.

Alain Duquay called The Little Mason	1	--	--
François Hyacinthe	1	--	--
Gilles Jossian	1	--	--
La Pierre called Chatelain	1	--	--
Voyageurs who had arrived a few days before Ducodere, commandant at the Yazoos	1	--	--
The Reverend Father Poisson, Jesuit missionary	1	--	--
Kolly and his son from New Orleans (Sent to his son with certificate September 10th, 1754.)	2	--	--
Langlois, clerk of Monsieur Kolly, ditto	1	--	--
Charlot Verlug, son of the Chapitoula	1	--	--
Bourbeau, colonist of New Orleans	1	--	--
St. Pierre, workman of the said Bourbeau ditto	1	--	--
Soupar of the Yazoos	1	--	--
Bompugnon ditto	1	--	--
Detachment from the Tunicas for scouting consisting of seven men only one of whom escaped with his life:			
Mesplet who was burnt and tortured with Dominique	2	--	--
St. Amant killed in the combat	1	--	--
Busebois and Navarre and another volunteer	3	--	--
Total	145	36	56

Among the number of women massacred there were four women whose abdomens the savages ripped open and whose children, included in the above register, they killed.

I, the undersigned, Father Philibert, priest and missionary to the said Natchezz, certify the present true register.

On board the Duc de Bourbon
the 9th of June, 1730.

(Autograph signature) f. filibert Capuchin priest
and missionary.

Ministry of the Colonies C. 13, v. 12 Folios 57 to 58 verso."

The people of New Orleans and of the various settlements throughout the Louisiana Province were shocked on the reception of the news of the Indians' attack upon Fort Rosalie and offered their service for immediate action against the Natchez. Though Governor Perier's plans to avenge the terrible massacre were delayed a short time by a threatened uprising of negro slaves he laid them carefully. The effective force at his disposal to accomplish that end was small compared with his Indian enemies, who could bring nearly two thousand warriors into the field. The governor planned to draw his invading force from France, from the Illinois country and all the military posts of Louisiana, as well as from the Choctaws, Tunicas and any other Indian tribes upon which he could depend as allies. He finally sent M. Loubois from New Orleans to invade the Natchez country and invest Fort Rosalie, then in possession of the Natchez. He then dispatched Lesueur to organize and lead a force of Choctaws, raised on the Tombigbee. The two were to unite and attack the Natchez stronghold together. From the valleys of the Tombigbee and Pearl River Loubois raised a force of 1,200 Choctaw warriors, who could not be restrained until they reached Fort Rosalie but fell upon some Natchez villages on the St. Catherine, in January, 1730, and lifted many scalps, as well as captured a number of women and children. They also recovered from captivity more than a hundred negro slaves. After skirmishing a few days, most of the Choctaw warriors dispersed to their own towns.

Loubois had better success in keeping his force intact, but in his first campaign against them he wreaked his vengeance upon the Indians only in spirit and not in reality, as will be seen. As he advanced northward from New Orleans he received reinforcements from the white settlers until when he arrived before Fort Rosalie he was able to invest it with a force of about 1,100 Frenchmen, 300 Red River Indians and such of the Choctaws as remained of Lesueur's braves. The siege commenced about ten days from the time of the attack of the Choctaws upon the defenseless villages of the Natchez.

The fort was regularly invested; trenches were opened and the artillery was planted upon the batteries. On the seventh day of the investment and after many skirmishes by the Indian allies in which the Natchez warriors fought with great desperation,

the besieged sent a flag with proposals for a conditional surrender of prisoners.

The proposition stipulated that the Natchez chiefs would surrender the remaining French prisoners to the number of more than two hundred souls, provided the artillery was removed from before the fort and the siege abandoned. At the same time, they declared that a refusal to meet their proposition should be followed by the immediate destruction of all their prisoners by fire. In order to preserve the lives of the helpless victims still in their power, Loubois consented to their terms. A suspension of hostilities for ten days was agreed upon, for the purpose of conducting the negotiations.

Yet Loubois intended to take revenge upon the hostile Indians as soon as the prisoners should have been secured. As yet but little damage had been effected by the artillery, although eleven field pieces were at his command. The engineers were inexperienced and his supply of ammunition had become nearly exhausted. Meanwhile he was exerting every means to hasten forward a supply of ammunition and military stores from New Orleans. The wily natives, suspecting treachery on the part of the French, resolved to improve the occasion during the suspension of hostilities and provide for their own escape.

At length on the 25th of February, 1730, negotiations had been concluded. The artillery had been removed, the batteries demolished, and the prisoners were to be surrendered the following day in front of the fort. During the night of that day greatly to the surprise of the French the Natchez chiefs and warriors, with their women and children, together with their plunder and personal effects, silently retired from their intrenchments, leaving a small guard with the prisoners until daybreak. Before morning they had crossed the river and were beyond pursuit. The prisoners were found in the fort agreeable to the treaty, but the enemy had fled. While rejoicing that the lives of over two hundred white colonists had been preserved by their strategy, the soldiers chafed greatly at the thought that the enemy had escaped unharmed.

A few days afterward M. Loubois advanced to the bluff on the bank of the river and commenced a terraced fort, which was supplied with cannon and munitions and a garrison of 120 men. This was the beginning of the terraced Fort Rosalie, remains of

which were visible for so many years on the brink of the bluff just below the city of Natchez.

Having left Fort Rosalie in command of his lieutenant, M. Loubois dismissed his Indian allies and returned with the southern troops to New Orleans, where he delivered the rescued prisoners into the care of sympathizing friends.

EXTERMINATION OF THE NATCHEZ

The further prosecution of the Natchez war was deferred until reinforcements and supplies should have arrived from France. This cessation of hostilities was rightly interpreted by the Indians as a preparation for more effective warfare on the part of the French. The larger portion of the Natchez therefore moved to the western shores of the Mississippi and thence to a locality on the lower Ouichita below the mouth of Little River, where that stream assumes the name of Black River. There they erected a strong fortress of four hundred acres in area and took their last stand as a tribe.

To the fort of the Natchez on Black River, Perier's expedition 1,000 strong, 350 being Indians friendly to the French, commenced their march from New Orleans on the 15th of November, 1731. Early in January of the following year the army reached the mouth of Black River and proceeded slowly up its broad and gentle stream. On the 20th of the month the troops came in sight of the enemy's principal fort. They were at once disembarked; on the following day the field pieces and artillerists were landed and the siege was regularly opened.

Du Pratz thus graphically describes the defeat and virtual extermination of the Natchez:

"The Natchez, struck with terror at the sight of a vigilant enemy, shut themselves up in their fort. Despair assumed the place of prudence, and they were at their wit's ends on seeing the trenches gain ground on the fort. They equipped themselves like warriors and stained their bodies with different colors in order to make their last efforts by a sally, which resembled a transport of rage more than the calmness of valor, to the terror at first of the soldiers.

"The reception they met from our men taught them, however, to keep themselves shut up in their fort; and, though the trench was almost finished, our generals were impatient to have

the mortars put in a condition to play on the place. At last they were set in battery. When the third bomb happened to fall in the middle of the fort, the usual place of residence of the women and children, they set up a horrible screaming; and the men, seized with grief at the cries of their wives and children, made the signal to capitulate."

The offer to surrender was made January 25, 1732. The French granted the Indians a parley until the following day and, under cover of the night, the body of the Natchez attempted to escape from the fort, but were discovered and the greater portion of them driven back. Some of them, however, escaped, joined a body who were out hunting and retired to the country of the Chickasaws. A remnant of the tribe, which did not appear to have been among the defenders of the fort, was subsequently repulsed by St. Denis from the post of Natchitoches. That brave and versatile officer then gathered his Frenchmen, Spaniards and Indians and launched his little motley army at the last stronghold of the Natchez nearly all of whom were slain.

Most of the Natchez surrendered to the French at discretion, among whom was the Great Sun, the Female Suns (princesses), with several warriors, and many women, young people and children. Those who thus gave themselves up as prisoners of war represented substantially all that remained of the once populous and powerful nation of the Natchez.

The French army reembarked and carried most of the Natchez as slaves to New Orleans, where they were imprisoned. Afterward to avoid an infection, the women and children "were disposed of in the king's plantation and elsewhere. Among these women was the Female Sun, called Stung Arm (Stelona), who then told all she had done to save the French. Some time after, these slaves were embarked for St. Domingo, in order to root out that nation in the colony; which was the only method of effecting it, as the few that escaped had not the tenth of the women necessary to recruit the nation. And thus the nation, is most conspicuous in the colony and most useful at one time to the French, was destroyed."

AGAIN A ROYAL PROVINCE

The heavy expenses of the Natchez war added to the other burdens incurred by the Company of the Indies (of which the

Western Company was only a branch) had convinced the great monopoly more than ever that Louisiana was a poor investment. On the 23rd of January, 1731, it therefore petitioned the king for the surrender of its charter which still had more than a decade to run. The request was readily granted, and on the 10th of April, 1732, a royal proclamation was issued declaring the entire province of Louisiana free to all the king's subjects, with equal rights as to trade and commerce.

The crown purchased, through a royal commissioner, all the effects of the company, "at a fair valuation," amounting to about $60,000. The property comprised warehouses, goods, stock in trade, plantations, with 260 negroes, and all the appendages of the planting establishments. Under the new organization of the government M. Perier retained the appointment of commandant general, or governor, and Loubois and D'Artaguette, both of whom had distinguished themselves in the Natchez war, were the king's lieutenants—the first for Louisiana and the second for the Illinois country. Catholicism in Louisiana, the official faith, was under the superintendence of the vicar general at New Orleans, whose jurisdiction was subject to the diocese of Quebec.

The Superior Council which sat at New Orleans was placed on a new basis by a patent dated May 7, 1732. The authorities of Canada or New France had always claimed jurisdiction over the lower Mississippi. The province of Louisiana was now definitely detached and to it was annexed the Illinois country.

In the effort to revive commerce, all duty was removed from merchandise exported from France into the colony and on exports from the colony to France. The colonists began to prosper and trade at once expanded. Perier, however, served but one year under the new order, and was recalled to France at the request of the colonists who demanded the return of Bienville to the governorship.

MISSISSIPPI BOTH FRENCH AND ENGLISH

In the year 1732 an event occurred which had no direct influence on the development of Mississippi, but which is of much interest historically. In that year George II of England for the greater convenience of his government divided Carolina into North and South Carolina. At the same time the province of Georgia was created between the Savannah and Altamaha rivers

and extending westward to the Mississippi River. This extension of the southern boundary of the British province of Georgia would be about the parallel of latitude which would strike Natchez. So that in 1732 most of the present state of Mississippi was claimed by Great Britain as well as by France.

BIENVILLE IS AGAIN MADE GOVERNOR OF THE PROVINCE—THE CHICKASAW WARS FOLLOW

Early in the autumn of 1734 Bienville arrived in New Orleans to resume the governorship of the province. Perier at once resigned the government into his hands and departed for France to assume any duties which might be prescribed in connection with his promotion to the high military rank of lieutenant-general.

Bienville's methods in dealing with the Indians of Mississippi were criticised during his lifetime and have been often called in question since; but the main point with the colonists was that he kept them in subjection which enabled the former substantially to pursue the ways of peace. As soon as he left for Europe, Indian outrages commenced and had so continued that the navigation of the Mississippi was virtually cut off and communications with the upper country most uncertain. During that period the English had been active in forming alliances with enemy tribes, especially the Chickasaws, and Oglethorpe, the founder of the Georgia colony, had made it his business to intensify this feeling of hostility, which had also been encouraged by the Natchez remnant absorbed by that warlike and able tribe.

Soon after his arrival in New Orleans, Bienville prepared to come to an understanding with the unsubdued Chickasaws. He dispatched an officer to their principal village demanding from them the surrender of the Natchez refugees. In reply to his demand he was informed that the Natchez Indians had been incorporated with the Chickasaw tribe and could not be given up. This was the signal for the first campaign against the Chickasaws, which led to disastrous consequences both to Bienville's force of Frenchmen and Choctaws and to the expedition led by D'Artaguette from the Illinois country.

The hero of the fierce assaults made by the French soldiers and Indians of the north was D'Artaguette, who, after carrying three forts of the enemy, was severely wounded and captured

with others of his party. Bienville was unable to join the northern forces at the date agreed upon—May 10, 1736—so that the burden of the affray fell upon the brave young officer from Fort Chartres, with his intrepid lieutenant, Vincennes. In this attack upon the Chickasaw villages, according to "schedule," D'Artaguette was assisted by the Illinois Indians under their noted chief, Chicago. Chicago, with minor chiefs, had been called to Fort Chartres, and his aid solicited in the contemplated campaign against the Chickasaws. These arrangements were being made even before Bienville's arrival. At the solicitation of D'Artaguette, the Illinois chiefs, headed by Chicago, had descended the Mississippi to New Orleans and presented the pipe of peace and friendship to Governor Perier. The village of the head chief was at the foot of Lake Michigan.

It is said that the troops from Illinois in this campaign, as they advanced to the attack, had their bodies protected in front from the arrows of the Chickasaws by wool sacks, or quilted cushions made of wool suspended before their bodies. This novel, yet very effective kind of armor, was discovered by the British traders in the fort, who directed the Chickasaws to shoot at the heads and legs of the assailants.

When D'Artaguette was finally wounded and fell, the Indians fled, while the French leader with a number of his comrades (including Vincennes) were captured. Their wounds were dressed and they were held with the expectation of ransom from Bienville. But when the repulse and departure of the governor and commander-in-chief were discovered, the savage nature came uppermost. The prisoners were taken to a neighboring field and while one was spared that he might relate the fate of the others to his countrymen, D'Artaguette, Vincennes, Father Senat and several others—all martyrs of no inferior type—were tied to stakes and burned to death before slow fires. Such were the sufferings of the northern division of the projected expedition at the very time that Bienville had commenced his voyage down the Mississippi.

The French allege that the fort attacked by the forces under Bienville was constructed of large and tall palisades planted in the ground and perforated with numerous loopholes for firing upon an approaching enemy; and that a strong platform of boards covered with earth extended around the inside so as to protect

the defenders from the hand-grenades used by the French in the assault. The British traders and emissaries had taught the Chickasaws the art of fortifying their villages and of making regular defenses against field artillery.

The repulse of the French from the Chickasaw country was soon known to Oglethorpe on the Savannah, who made a closer alliance with the enemy tribe of the French. The course of events even threatened to deliver this section of Louisiana into British control.

Bienville's attempt, in 1739-40, to redeem himself and the reputation of French arms, as pitted against a tribe of Indians allied with Great Britain and supported by her soldiers and traders, was from a military standpoint even less effective than the campaign of 1736. The preparations for the contemplated grand invasion of the Chickasaw country far exceeded anything of the kind ever undertaken by Louisiana. The invasion planned for the spring of 1739 was to be by way of Chickasaw Bluff, on the east bank of the Mississippi, to the villages of the enemy at the sources of the Tombigbee and Tallahatchie rivers. Again it was to be a coöperative movement between the forces drawn from Fort Chartres and those raised by Bienville in lower Louisiana. The grand rendezvous was fixed at the mouth of the St. Francis River, on the west side of the Mississippi, where a fort was constructed. By June, 1739, Bienville had concentrated at that point an army of 1,200 whites and nearly 2,500 Indians. With but little delay the invaders then crossed the Mississippi and at the mouth of the Wolf River Bienville established a depot for the sick, the baggage and military stores. Fort Assumption was commenced at that point, but not completed until August. In the meantime the ranks of the Europeans and Canadians had been sadly reduced by fevers and other sickness. Early winter approached and the scarcity of provisions caused another delay, it being difficult to obtain supplies from Fort Chartres and New Orleans. By the middle of March, 1740, it is said that not more than two hundred effective white men could be mustered who were able to take up the line of march, with the Indian and Negro warriors, toward the Chickasaw towns. The Chickasaws, believing this weak force to be but the advance guard of a French army, sued for peace, which was granted by the commanding

officer. Soon afterward Bienville concluded a regular treaty with a deputation of Chickasaw chiefs and warriors.

Fort Assumption was then dismantled, the army crossed the river to Fort St. Francis, the northern troops and the Indian allies were discharged and Bienville came down the Mississippi, with the main body of troops, to New Orleans. A colorless climax, some have written, of the second campaign against the Chickasaws, and an indifferent termination of nearly forty years of useful and worthy public service for France! Bienville was undoubtedly too old for the strenuous campaign which he had undertaken; this and the fact that he was too far away from his base to carry on warfare with a bold and able tribe supported by the English brought about failure. His courage and mettle could never be impugned.

RETIREMENT OF BIENVILLE

In June, 1740, not long after the conclusion of the treaty of peace with the Chickasaws at Fort Assumption, which the Governor did not consider binding, as it had not been signed by a general representation of the tribe, Bienville wrote to the French minister asking for a return to his mother country in order to restore his "exhausted health." First, however, he suggested that the permanent peace with the Chickasaws might be postponed in order that the Choctaws might avenge themselves on their enemies and thus weaken them (the Chickasaws) the more. It was not until May, 1743, that Bienville was able to leave Louisiana; and, then, forever.

The retiring Governor had doubtless made mistakes, but for nearly a half-century he had been a brilliant, resourceful official of France and a faithful servant of the King as he understood his duties. None could be mentioned to whom both were more indebted. He came also of one of the most distinguished families of history. No family in the annals of France had supplied so many brilliant officers—eleven brothers in the army and two brothers-in-law and several nephews in the navy. Half of his male relatives had fallen in battle or died at their posts. Yet, in the face of his own services and the eminence of his family, the court is said to have received him coldly. Though he was still, and was to ever remain, the beloved ideal of the French of New Orleans. His death did not occur until nearly a quarter

of a century afterward. He died in Paris, March 7, 1767, and was buried with military honors in the cemetery at Montmartre. Today France numbers him with his distinguished brother Iberville among her ablest officials in her colonial occupancy of America.

VAUDREUIL SUCCEEDS BIENVILLE

The Marquis de Vaudreuil, whose father was governor general of Canada from 1703 to 1725, succeeded Bienville as governor and commandant-general of Louisiana, and arrived in New Orleans May 10, 1743. He is known as the Grand Marquis on account of his elegant manners and sumptuous entertainments. Withal he was energetic and an able administrator. Among his early recommendations he issued orders to keep the levees in safe condition along the Mississippi; he also stabilized the currency of the colony. In 1746 a great hurricane destroyed the crops on the lower Mississippi and the Governor arranged for convoys of provisions from the upper country to avoid a threatened famine. During Vaudreuil's administration sugar cane was introduced into Louisiana and thereby into the lower Mississippi country. But the Grand Marquis spent much of his time in endeavoring either to placate, outmaneuver or punish the Indians of lower Louisiana, and the most interesting situation in this regard was developed among the Choctaws and Chickasaws. Vaudreuil had not been long in New Orleans before the Chickasaws sent a delegation to him, with whom the new Governor refused to treat unless the Choctaws, his allies upon whom the Chickasaws had so often inflicted wrongs, were parties to the treaty. This was in line with Bienville's policy—to play the one tribe against the other. Being rebuffed by the Governor, the Chickasaws then attempted to draw the Choctaws into an alliance against the French and under English support. This attempt partially succeeded.

CHOCTAW NATION DIVIDED INTO FACTIONS

The hostile faction, led by the artful and crafty chief Red Shoes, of the Six Towns Choctaws, who resided near the present town of Garlandville, Jasper County, Mississippi, murdered many French traders and settlers, and marauding parties even penetrated to the German settlements above New Orleans in 1748.

War fiercely raged in the Choctaw villages between the English and the French factions. At last, in a pitched battle fought in that year, the English faction was badly defeated, with the loss of 180 warriors killed and wounded. This brought the parties to a parley and it was agreed that there could be no peace while Red Shoes lived, and the arch-intriguer was killed while convoying to his village a train of English goods. The English traders, however, saved the goods and, by distributing them, revived the war, placing a brother of the deceased chief at the head of the partisans. They were soon after defeated and dispersed by Grand Pré, a very active and efficient officers who commanded a post on the Tombigbee.

In 1750 the English faction within the Choctaw nation was brought to terms and the tribe again united as a French ally. By that time, of the thirty-two villages in the Choctaw nation only two remained avowedly under English influence, but the many outcasts, stragglers and marauders who supported the faction made it a formidable danger to the colony. Finally, the desperadoes offered battle to the death and 130 of them fell in their tracks. Shortly afterward, Grand Pré, at the head of a party of Choctaws and French, gave the enemy the finishing blow. The English partisans, white and red, were granted peace on condition that any Choctaw who killed a Frenchman should be surrendered for punishment; that he who introduced an Englishman into the nation must die; that incessant war should be waged against the Chickasaws; that the villages of the English party, or rebels, should be destroyed and that they should not be allowed to live in separate communities.

At this the wily Chickasaws, conspirators with the English in the attempt to divide the Choctaw nation in its allegiance to the French, made peace overtures to Governor Vaudreuil, sending to him as an offering some women and children captured in Arkansas. Vaudreuil made no direct answer to the Chickasaws' offer for peace, and Indian matters were held in abeyance until the Governor received permission from the French minister to invade the country of the red enemy.

It was not until 1752 that Vaudreuil was ready to undertake revenge for Bienville's failures of 1736 and 1740. Collecting about seven hundred white troops at Mobile and strongly reenforced by Indian auxiliaries, he followed the route of Bienville

in 1736 and ascended the Tombigbee to Cotton Gin, where he reconstructed and enlarged the fort built by his predecessor. His Canadian scouts soon ascertained that the Chickasaws had abandoned their fields and shut themselves within their strong stockades. The Marquis de Vaudreuil was too good a soldier—knowing also the bravery and warlike ability of the enemy—to attack such works without suitable artillery. Discovering that he could draw them out neither by strategy nor bravado, he destroyed their fields and burned such villages as he could reach. As far as punishing the Chickasaws in a contest at arms, or weakening their power as an Indian nation, the campaign was as great a failure as any suffered by Bienville.

Soon after this humiliating failure Vaudreuil was transferred to the government of Canada, and was succeeded by Louis B. de Kerlerec, a veteran and brave officer of the royal navy.

PROVINCE OF LOUISIANA UNDER KERLEREC

Kerlerec arrived at New Orleans on February 3, 1753, and his administration lasted until the summer of 1763, when his successor was sent to the capital to deliver to Spain all of Louisiana west of the Mississippi to the Rocky Mountains. The transfer had been made by a secret treaty between France and Spain arranged in November, 1762. In February of the following year another treaty had been signed openly at Paris to which France, Great Britain and Spain were parties. By the latter agreement, which was the outcome of the Seven Years' War between France and England, Great Britain acquired all that portion of Louisiana lying on the east side of the Mississippi River, from its headwaters to the Iberville River, and thence by way of the River Amite and Lakes Maurepas and Pontchartrain, to the sea. France likewise ceded the fort and river of Mobile to Great Britain, and Spain also ceded to that nation, whose claim upon territory in North America was yearly increasing, the country lying between the Perdido River and the St. Mary's River, then known as Florida. Thus France divested herself of her entire claim to Louisiana, and Spain retained of that vast domain, east of the Mississippi, only the Island and City of New Orleans, and that in secret. Temporary possession, however, was still held by the French and Kerlerec was therefore the last of the French governors to have jurisdiction over the entire territory of the

province of Louisiana including the present state of Mississippi. His administration was a succession of turmoils and vexations, and the southern colony was so far removed from the active theater of war in North America that he was thrown largely upon his own resources. It was with difficulty that he was able to keep the Choctaws and Alibamons on friendly terms with the French. As these tribes united could bring at least 7,000 warriors into the field, and the number of French troops in Louisiana was greatly diminished by drafts from the seats of war in the Ohio valley and Canada, it was of vital importance that the Governor keep the peace with the home Indians. He had also to contend with a religious war between the Capuchins and the Jesuits, and there were violent dissensions between the Governor, his commissary and other leaders of colonial affairs. The dangers to the colony, both without and within, were so appalling that in 1761 the Governor even asked assistance from Spain, as it was said that Louisiana served as a barrier between the English and Spanish possessions.

The most tragic event of Kerlerec's administration is identified with the soil of Mississippi and for at least one feature of it he has been severely criticised. In his defense it has also been suggested that the times were such that insubordination of any kind must be crushed relentlessly. The story is told by Bossu, a captain in the French marines who was in the service at the time of which he wrote, as follows:

"Six leagues from the Ship Island is the Cats Island, so called on account of the number of wild cats which have been found there. This isle is remarkable only on account of the murders and robberies which have been committed there during the command of two officers who were sent thither by M. de Kerlerec, Governor of Louisiana.

"In 1757 he appointed Sieur Duroux chief commander of this isle and gave him a detachment of troops from the marines and from the Swiss regiment of Halwyl. The Sieur Duroux was no sooner come thither than he looked upon himself as absolute. He immediately assumed the right of having a garden made by the soldiers of the garrison. He likewise employed them to make for him lime from shells and charcoal; but he never paid them, and those who refused to submit to these vexations were fastened quite naked to a tree and exposed to the insupportable attacks

of the maringoins or gnats. This was the punishment which the officer made the soldiers of his garrison undergo; an unworthy treatment, unexampled even among barbarians.

"The Sieur Duroux obliged them to make their bread of the flour saved from the wreck of a Spanish ship which was lost on the coast, and sold for his own account the king's flour intended for the use of the garrison. This repeated bad usage from the commander determined some soldiers to go to New Orleans in order to complain to the Governor, to whom they showed some of the bad bread they were forced to eat; but M. de Kerlerec paid no regard to their just remonstrances and sent them back at the discretion of their commander. Then these wretches, fearing his resentment, resolved to make an example of him, which they executed in ceremony.

"One day when the officer was gone out a hunting in a neighboring little isle the revolted troops took their measures for executing their plot, which was to murder Sieur Duroux. So strange a resolution could only be occasioned by their not having obtained the desired justice from the Governor. If an officer superior to M. Duroux had been sent in his place and the latter left to command as the second officer, this misfortune would have been avoided. As he returned from hunting, the sentinel perceiving the boat at sea hoisted the French flag upon which the garrison took to arms and went out into the field. The rebellious soldiers advancing to the shore with their corporal at their head called to the boat by means of a speaking trumpet according to custom. The Sieur Duroux answered, 'Commander.' He lands and as he sets his foot on shore the corporal gives the signal and at the same instant the soldiers fire and their commander falls pierced with wounds. The soldiers then stripped him and threw his corpse into the sea. Such was the burial and punishment of this petty tyrant who was regarded by nobody, for he had no other recommendation than that of the Sieur Thiton, the Governor's first secretary.

"The soldiers, become masters of the isle, set at liberty an inhabitant whose name was Beaudrot, who had been unjustly imprisoned by the late commander. The Sieur Duroux had assumed the privilege of an admiral of France and pretended to share with soldiers and inhabitants all that they should save of any vessel wrecked upon the Cats Island; and all that refused to pay

him his share were severely punished as if they had committed some great crime. This was the crime of Beaudrot; he was put in irons because he would not share some goods with the commander which he had saved from the wreck of a Spanish ship called the *Situart*, which was wrecked on the isle in 1758.

"The soldiers who had killed M. Duroux, having afterward pillaged the effects belonging to the king in the Cats Island, took the inhabitant whom they had set free and obliged him to bring them into the road to the English colony of Carolina. When they arrived in the country of a great Indian chief whom the Europeans have styled Emperor of the Kawytas, they sent back Beaudrot with a certificate which proved that he had been obliged to serve them as a guide. Part of this troop went toward the English; but those who remained among the Indians were soon seized by order of M. de Montberaut, then Governor of the fort at the Alibamons. Among this last party was a corporal of the regiment of Halwyl who, in order to avoid being sawed asunder as is usual among the Swiss, killed himself with a knife, which he wore hung from the neck as the Indians do.

"M. de Beaudin, an officer of the garrison, was sent with a detachment in order to conduct the criminals to Mobile. During this interval, the two sons of Beaudrot arrived at Mobile from New Orleans and brought, without knowing it, an order from the Governor to M. de Velle, who commanded at Mobile, for arresting their father, who was in his habitation with great security. He returned to prison without reluctance, not knowing that the deserters whom he had guided were taken. M. de Velle transmitted the criminals to New Orleans, where a court-martial was held to judge them.

"Beaudrot, the inhabitant, for guiding the murderers of the Governor of Cats Island, was sentenced to be broke upon the wheel and his corpse to be thrown into the river; which was accordingly executed. A soldier suffered the same punishment and a Swiss was sawed alive through the middle of the body."

The terrible punishment of Beaudrot made the Governor many enemies, who, considering that the participation of the inhabitant in the mutiny was under duress, thought it unjust. Moreover, the victim was very popular among both the whites and Choctaws. He had an esteemed wife and family, had been employed in several important negotiations with the Indians and

had even been adopted into the Choctaw nation. It is the opinion of Bossu and those who understood the situation best that had Beaudrot's punishment not been withheld from the knowledge of the Choctaws, they would have revolted against the injustice of the court-martial. This was one of the many acts which caused widespread dissatisfaction with Kerlerec's administration, the wrongdoings of which spread to the home government, causing his arrest and imprisonment in the Bastile.

THE LAST OF FRENCH DOMINION IN LOUISIANA

The king of France continued to act as the possessor of Louisiana, since the treaty of 1762 was still a secret, and under the treaty of Paris signed by the three powers in the following year a new set of officers was appointed. The troops at New Orleans were merely kept there for police duty and D'Abbadie, the commandant, who had been appointed to succeed Kerlerec, arrived at the capital in June, 1763. His sad mission was to turn over the Island and town of New Orleans to the expected Spanish governor. From all accounts D'Abbadie was a man of upright character and generally respected, but the condition in which he found the colony so weighed upon his spirits and affected his health that he died in February, 1765, before he could have the melancholy satisfaction of performing the duty to which his king had assigned him. It was not until March, 1766, that Ulloa, the Spanish representative, arrived at New Orleans to treat with Aubry, the successor of D'Abbadie, for the surrender of the city and the province west of the Mississippi River whose fair capital, despite the weak and infamous Louis XV who controlled its destinies, was fast becoming a theme for every tongue. Though Charles III of Spain, a far better man, now possessed it, it stung the proud-hearted French to see the sacred *fleur de lis* hauled down for the castles and dragons of Spain.

ROMANCE OF THE FRENCH PERIOD

It has not been the method in the preparation of this history to dwell on legend and tradition in recording the early events of the colonization by the French of the lower Mississippi valley. But legend and romance have a place in the story of any country and since the most noteworthy Indian legends have been included

with a brief history of the race in this volume, some of the charming romances of the French on the Gulf Coast are given in closing the chapters on French occupation. Nor are these altogether gossip and old women's tales that crept into the early narratives of the country, but human interest stories enacted *al fresco* one might say on the marine landscapes of New France.

Of charm and pathos and at times savoring of the serio-comic is the love affair of the gallant and daring young M. de Boisbriant and a lovely Lady Superior. We say lovely since one can but connect beauty with so charming a romance. Their story runs that Bienville opposed the union—for what other reasons than those of religious and social scruples we cannot say. But was Bienville religious? A social stickler as were all the French nobility we know him to be. The love affair continued to progress when Bienville again raised his voice, much to the disappointment of his young kinsman, the ardent M. de Boisbriant, and of the fair young flesh and blood lady of the veil, the latter losing no opportunity of denouncing the destroyer of her happiness.

Another story bordering on the romantic if all the facts were known was Bienville's own affair of the heart, proving as Abelard could have testified that thirty-nine or thereabouts is still a dangerous age in a man's life. Wholly impervious to woman's charms as he has generally seemed, it was Bienville's ill luck to fall in love with the daughter of the tyrant LaMothe Cadillac, Governor of the province, and his bitterest foe. Hear him say of the young maiden in a confidential letter to his brother, "She is a superior young woman and I intend to marry her." It was the shrewd Cadillac himself who doubtless for the sake of ending a feud with such an influential adversary expressed himself as willing to the union, but in such an eager and open manner as to cool Bienville's ardor and the desire to be so intimately connected with one whose nature was so antagonistic to his own. However this may have been, the romance came to an end or else died out in some bitter controversy between the distinguished enemy-officials.

Still another story has been preserved of that day which, while it has little to do with pathos of a sincere nature, smacks of romance of such an unusual and daring character that we shall

let François Xavier Martin, its best relator, repeat it here verbatim:

"There came among the German newcomers, a female adventurer. She had been attached to the wardrobe of the wife of the Czarowitz Alexius Petrowitz, the only son of Peter the Great. She imposed on the credulity of many persons, but particularly on that of an officer of the garrison of Mobile (called by Bossu, the Chevalier d'Aubant, and by the king of Prussia, Maldeck) who having seen the princess at St. Petersburg, imagined he recognized her features in those of her former servant, and gave credit to the report which prevailed, that she was the duke of Wolfenbüttle's daughter, whom the Czarowitz had married, and who, finding herself treated with great cruelty by her husband, caused it to be circulated that she had died, while she fled to a distant seat, driven by the blows he had inflicted on her—that the Czarowitz had given orders for her private burial, and she had traveled incog into France, and had taken passage at L'Orient in one of the company's ships among the German settlers.

"Her story gained credit, and the officer married her. After a long residence in Louisiana, she followed him to Paris and the island of Bourbon, where he had a commission of major. Having become a widow in 1754, she returned to Paris, with a daughter, and went thence to Brunswick, when her imposture was discovered; charity was bestowed on her, but she was ordered to leave the country. She died in 1771, at Paris, in great poverty."

"A similar imposition was practised for a while with considerable success, in the southern British provinces, a few years before the declaration of their independence. A female, driven for her misconduct from the service of a maid of honor of princess Matilda, sister to George III, was convicted at the Old Bailey, and transported to Maryland. She effected her escape before the expiration of her term, and travelled through Virginia and both the Carolinas, personating the princess, and levying contributions on the credulity of planters and merchants; and even some of the king's officers. She was at last arrested in Charleston, prosecuted and whipped."

Hamilton claims Xavier Martin's lady for Mobile and with a gift of romance of a charming nature takes the whole affair seriously, clothing the incident in such garb as to make of it a pretty story.

In connection with these related there is the too often unrecorded story of the deserted Indian wife whose love for her recreant white lover became so overpowering at times as to undermine her loyalty to race; others in which loyalty of race became the consuming passion.

It is well known too that the young women *de la cassette* and otherwise brought over to be wives of the colonists often had misunderstandings of such a serious nature at times with their woodland menfolk as to tax Bienville's ingenuity to the utmost to adjust them. However, as disgusted as they sometimes became with the coarse fare (cornbread—a native food) and rude life of their forest homes we hear of none returning to the motherland, all remaining to, as the centuries passed, lend a touch of delicacy and a wave of rich coloring to the more stolid faces of the sturdy, light-haired Anglo-Saxons who overran the coast country.

So we have seen, dream-like though they appear, the Sieur d'Iberville and his brother Bienville with their people move across the stage of that distant day when Mississippi wandered incognito by the great river and along the old Biloxi Bay. Had one the rare opportunity one would like to send this "speaking bark" (the Indians' name for a letter) to the great explorer and his colonists:

"D'Iberville, should romance die
Nor thrill again our history,
With thee 'twill haunt the earth and sky
Where breaks the blue Biloxi Sea."

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FLAG OF ENGLAND, 1763-1779

From Painting by N. Benson

As emblems of sovereignty seven flags have waved over the State of Mississippi:

FLAG OF SPAIN, 1512-1699

FLAG OF FRANCE, 1699-1763

FLAG OF ENGLAND, 1763-1779

FLAG OF SPAIN, 1779-1798 AND 1812

FLAG OF THE UNITED STATES, 1798-1861

THE MAGNOLIA FLAG OF MISSISSIPPI, 1861-1894

FLAG OF THE CONFEDERACY, 1861-1865

FLAG OF THE UNITED STATES, 1865-

FLAG OF MISSISSIPPI, 1894-

CHAPTER VII

BRITISH DOMINION

MILITARY AND CIVIL GOVERNMENT OF MAJOR ROBERT FARMAR—THE JOHNSTONE ADMINISTRATION, 1764-66—FORT ROSALIE BECOMES FORT PANMURE—BRITISH OCCUPY FORT CHARTRES—INDIAN TREATY OF 1765—PREDECESSORS OF PETER CHESTER—PETER CHESTER, GOVERNOR—LARGE BRITISH IMMIGRATION—ESTABLISHMENT OF PROTESTANTISM—ROYALISTS AND PATRIOTS—ANTHONY HUTCHINS—NATCHEZ, ANGLO-SAXON NUCLEUS OF THE MISSISSIPPI VALLEY—REVOLUTIONARY WAR REACHES NATCHEZ—ONE OF THE AMERICAN BOATS ATTACKED BY ROYALISTS—WEST FLORIDA POSSESSED BY SPAIN—ENGLISH LAND GRANTS IN MISSISSIPPI.

The long contest between England and France for supremacy in North America had its end February 10, 1763. On that day the Treaty of Paris was made, and by it we have seen that France lost all her possessions east of the Mississippi River except the Island of Orleans. Under its provisions the English gained control of the Mississippi, which gave an outlet to the Gulf of Mexico. The section of the treaty which transferred what is now the southern part of the State of Mississippi is in the following words:

"The Most Christian King cedes to his Britannic Majesty the river and port of Mobile, and all that he possesses on the left side of the River Mississippi, with the exception of New Orleans and the island on which it is situated." Out of a part of the territory conveyed by that section of the Treaty of 1763, the King of England, by his proclamation of October 7, 1763, laid off the British Province of West Florida, extending from the Chattahoochie River to the Mississippi bounded on the south by the Gulf of Mexico and the Iberville River and on the north by the thirty-first parallel.

MILITARY AND CIVIL GOVERNMENT OF MAJOR ROBERT FARMAR

The occupation of the ceded Province by the British took place on October 20, 1763, at Mobile. The government was represented by Major Robert Farmar, who had under his command a de-

tachment of Highlanders. The lilies of France over Fort Condé (Mobile) were lowered and the flag of the British Empire was raised to the music of bagpipes. Fort Condé had been built by Bienville; its name was changed by the English to Fort Charlotte in honor of the young queen of England.

The civil and military affairs of the Province were administered by Major Farmar until October 21, 1764. Governor George Johnstone had been appointed the first governor of the British Province of West Florida, November 20, 1763, but he did not take up his duties until the 21st of October of the following year when he landed at Pensacola, the seat of government, with a regiment of troops.

The following is a copy of the official list on file in the British Public Record Office in London, of the French who took the oath of allegiance:

"A List of the Inhabitants of Mobile in West Florida who have taken the Oaths of Allegiance and Fidelity to His Brittannick Majesty King George the third.—

Harpain Lagautrais	Jean Baptist Nicas
Jean Baptist Alexandr	Philip Clenpetre
Francois Mersurey	Francois Barba
Hugo Emestus Kervs	Anthony Lorraine
Jean Mitchell Villeroze	Joseph Colomb
John Baptist Basdrav	Matis Tresnac
Jean Baptist Phillipeaux	Joseph Bougenon
Andre Boullon	Jean Millon
Pierre Breneaux	Louis Carriere
Joseph Margot	Piere Hewit
John Ham	Hendriet Hewit
Daniel Jacqueri	Nicholas Delille
Claude le Brun	Joseph Badon
Piere Cajot	Jean Frans Milsant
Charles Vidal	Bapt Chrisn Lardnare
Piere Rochon	Hans Willerips
Jean Favre	Francois Colin
Simon Favre	Henret de livoy
Gerome Matulick	Mungo Law
Orbame Demoux	Gabriel St. Lorain
Angelica Lardas	Francois Alancet
Anthony Narbon	Moris Durand

Francois Daran
Frederick le Estap
Piere Martin
Augustin Nichs Vincent
Manuel Lopez
Caurangau die brassillon
Wersel Laser Reinhart
Piere Rochon
Philip Armon
Joseph Mellon
Sr Chr De Rouville
Augustin Rochon
Antoney de Verney
Harpain la gautrais Junr
——— Renoroy
Jean Claude Martalle
Piere Lanson
Jacques Lusein
Nicholas Calco
Louis francois Monloy
Jean francois DeMorsier
John Bapt Lorindine
Piere Joley
Charles Mioy
Joseph Chastang
Francois Remue
Nicholas Lardnare
Valentine Dubroca
Nichs Bourie
Jacque Arnald
Louis Chrs Lardnare
Joseph Bouzage
Pare Ferdinand Capuchin
William Favre
Magdelen Madelon
Francois Gerard
Jean Baptist le Flau
Maurice Dullivier
Jean Claude Dupont
Francois Alexander
Bartholemew Grelot
Piere Zuzan
Jean Baham
Jean Baptst Debodent
Mariane Feavre
Louis Forneret
Maurice Montlemard
Piere Gilloroey
Nicholas Champeign
Johannes Rohot
Louis de Flandre
Jacob Martin
Francois Chenette
Mariane Marcellin
Corneret Keller
Maran Breaunea
Juliet de brose Azamari
Jean Lafon
Francois Caminada
Jean Rocquet
Piere Gabl Montlemard
Francois Barnard
Jean Bapt Levine
Jacco Amon
Francois Favre
Jean Sebin Braquet
Jean Baptt le Flau
Isabell Alexander

Robt Farmar
Majr of 34th Regimt

Endorsed List of Inhabitants of Mobile, who have taken the Oaths. 112—in Major Farmar's Lre of—2d October. 1764."

This list was made by an Englishman who was evidently unacquainted with the French language, and his want of knowledge

caused him to spell the names according to the most approved phonetic methods. The list is valuable and the descendants of many of the people whose names are given are now citizens of the Mississippi Coast country.

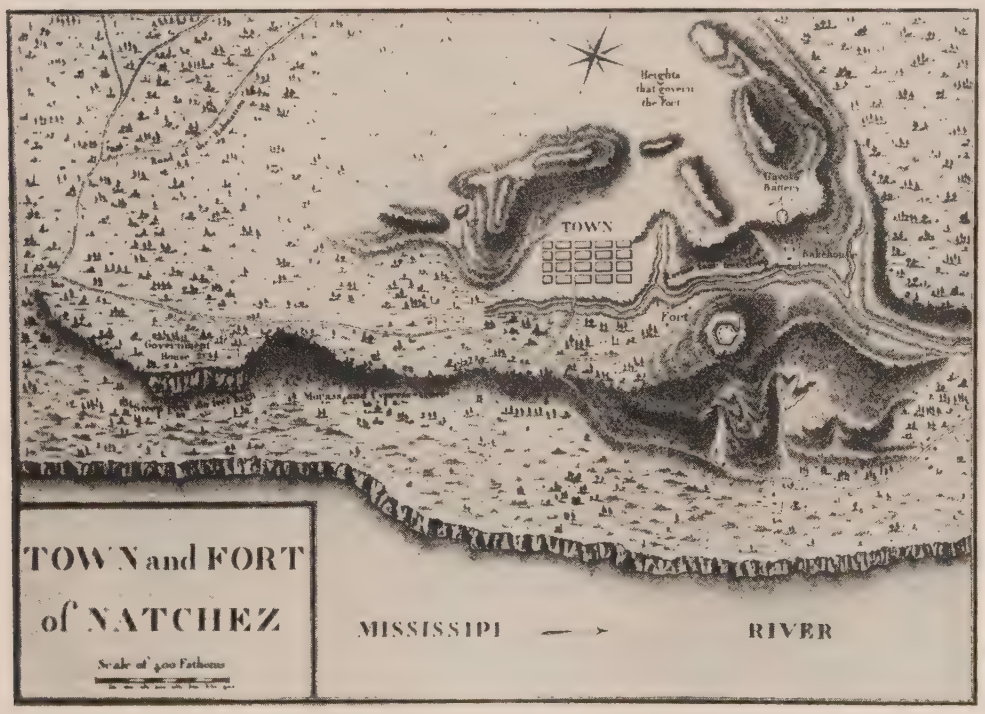
THE JOHNSTONE ADMINISTRATION, 1764-66

No sooner than the Johnstone administration had been established trouble commenced between Major Farmar and the civil governor as to division of authority. Governor Johnstone claimed control over the military as well as the civil functions of the province. Details of the long and bitter quarrel between Major Farmar and Governor Johnstone, which even extended to General Gage, commander-in-chief of the British forces in North America, and resulted in a vindication of the former, are recorded in full in the documentary transcripts of the English dominion in possession of the Mississippi Historical Department. During the early period of the Johnstone administration Pensacola and Mobile were the only towns of consequence in West Florida, but gradually events shaped themselves so as to again call attention to the desirability of the Natchez district as a home land.

In order to hold the Mississippi posts should trouble arise with the Spanish government of Louisiana, it was considered necessary that easy communication be established between Mobile and Natchez, and that Fort Chartres be occupied as the key to the Illinois country and the upper Mississippi valley. Soon after Governor Johnstone's arrival, Major Loftus, who had been stationed at the outlet of Bayou Manchac was dispatched from that point by Colonel William Taylor, military commander of West Florida, to take possession of the Illinois country. With his detachment of four hundred men, Major Loftus set out for Fort Chartres to ascend the river in ten sixteen-oar barges. In writing of this expedition Monette in his *Valley of the Mississippi*, Volume II, pp. 403-404, says:

"After three weeks of toil against the strong current of the river, he had just reached the point of the highlands which touch the river for three miles on the east, about ten miles above the mouth of Red River. Here, in the contracted channel of the river, the deep, strong current sweeps for five miles around a bend at the base of the bluff. The heights on the east, which rise abruptly

PORTION OF MAP MADE BY LIEUTENANT ROSS IN 1765
Original in possession of the Chicago Historical Society



TOWN AND FORT OF NATCHEZ (1787)
Drawn by Callot, ex-Governor of Guadalupe. Last fort built in Natchez and evacuated by the Spanish in 1797

from the water's edge, as well as the low alluvial bank on the west side, were clothed in heavy forests with impenetrable thickets of cane undergrowth.

"At this point, concealed on both sides of the river, were assembled a large number of the Tunica Indians in ambuscade, awaiting the approach of the English army in their toilsome and slow advance against the majestic flood. These Indians, former confederates of France, had imbibed the Frenchmen's hatred of British dominion, which had not been placated by the imperious English. As the last galley entered the ambuscade, the astonished English troops were suddenly assailed along the whole line with a destructive discharge of firearms and arrows, accompanied with most terrific yells from the unseen savages. The whole fleet thrown into confusion, after an ineffectual attempt at resistance against the unseen foe, fell back with the current beyond the reach of the enemy. A large number of the men were killed and wounded. Among the slain was the commandant, Major Loftus himself, after witnessing the fall of numbers of his brave troops. The expedition to the Illinois country failed and the remnant of the detachment dropped down with the current to the point of embarkation, from which they were subsequently ordered to Mobile."

The locality of the ambuscade which temporarily delayed the occupation of Fort Chartres, was already historical. It was then known as "Roche a Davion," or Davion's Rock, as Father Anthony Davion who was at Old Biloxi with Sauvolle had established a mission there, in 1698, among the Tunica Indians. For thirty-five years after the disaster to Major Loftus' expedition the locality was known as Loftus Heights.

FORT ROSALIE BECOMES FORT PANMURE

Not long after the Loftus expedition was ambuscaded and turned back, a British frigate conveyed troops to Fort Rosalie, which was repaired and rechristened Fort Panmure. It was occupied by a permanent garrison in the summer of 1764 and preparations were made for the establishment of a military colony there. General Frederick Haldimand, acting commander-in-chief, was in favor of establishing such military posts not only for the purpose of maintaining for the British a free navigation of the lower Mississippi and keeping it in communication with the gulf region

of West Florida, but to prevent the French from trading with the Choctaws, as the Indians were expected to recognize the treaty of Paris by transacting business at Mobile and Pensacola and, when the post was fairly established, at Natchez, or Fort Panmure.

To establish easy communication between Mobile and the Natchez garrison, as well as other posts up the river, without contact with the French at New Orleans—the Spanish were not yet in possession—Colonel Taylor in January, 1765, began the work of clearing out the Manchac (Iberville) bayou. To protect the workmen a small stockade was built at Fort Bute. With the completion of the Iberville work there was a free passage to the Mississippi by way of the Sound, and West Florida was united by water, without asking the permission of navigation anywhere of the French who were still holding New Orleans.

THE BRITISH OCCUPY FORT CHARTRES

After the defeat which had been suffered by Major Loftus in March, 1764, the British deferred sending troops and a commandant to the Illinois country for about a year. In the meantime, the French commandant at Fort Chartres continued to exercise authority under the laws and usages of France as formerly, although it was known that the country was a British province.

It was not until October, 1765, that a small force of Highlanders under Captain Thomas Stirling arrived at Fort Chartres from Fort Pitt, by way of Detroit, and received the post of the Illinois country from the French commandant, St. Ange. Under the proclamation of Gen. Thomas Gage, commander-in-chief of his Majesty's forces in America, Captain Stirling was authorized to grant to the inhabitants of "the Illinois" the liberty of the Catholic religion "as it has already been granted to his subjects in Canada." At the same time the French inhabitants were accorded full freedom of action and disposition of their effects and real estate, except they were subject to actions for debt or criminal processes. Those who chose to retain their lands and become subjects of the British king were required to take the oath of allegiance before Captain Stirling. All were recommended to conduct themselves peaceably. "By this means alone they will spare his Majesty the necessity of recurring to force of arms, and will find themselves saved from the scourge of a bloody war, and of all the

evils which the march of an enemy into their country would draw after it."

Notwithstanding King George's fair words, many of the French preferred to leave their houses and fields in the Illinois country, retire west of the Mississippi and settle in the St. Louis or St. Genevieve districts. In the Lower Mississippi Valley much of the French population, which since the Natchez massacre had been scattered to the south and the Mobile district, migrated to New Orleans, which retained its stamp as a French city through the period of Spanish occupancy and far into the era of American supremacy. However, many of the French returned from time to time to their former haunts along the Gulf Coast.

INDIAN TREATY OF 1765

The most significant event which occurred in Johnstone's administration in its bearing on the history of Mississippi and the lower valley of the great river was the treaty of March 26, 1765, arranged between John Stuart, southern Indian agent, and Governor Johnstone, government representatives, and twenty-nine chiefs of the Choctaw and Chickasaw tribes. The lands ceded covered practically the seacoast about Mobile and the lower river basin of the Tombigbee, or west of that river to the Mississippi south of the 31st degree of latitude. The cession represented the first formal extinguishment of Indian titles to southwestern lands. Article 5 of the treaty enables the reader to definitely trace the bounds of this historic transfer of lands, which marks the abandonment of the friendly or autocratic but unbusinesslike acquirement of Indian lands by the French, and the adoption of the practical Anglo-Saxon methods. The article noted reads as follows:

"And to prevent all disputes on account of encroachments or supposed encroachments committed by the English inhabitants of this or any of his Majesty's provinces, on the lands or hunting grounds reserved and claimed by the Chickasaw and Choctaw Indians, and that no mistakes, doubts or disputes may for the future arise thereupon, in consideration of the great marks of friendship, benevolence and clemency extended to us, the said Chickasaw and Choctaw Indians, by his Majesty King George the Third, we, the chiefs and head warriors, distinguished by great and small medals and gorgets, and bearing his Majesty's commissions as

chiefs and leaders of our respective nations, by virtue and in pursuance of the full right and power which we now have and are possessed of, have agreed and do hereby agree, that, for the future, the boundary be settled by a line extended from Grosse Point, in the island of Mount Louis by the course of the western coast of Mobile to the mouth of the eastern branch of the Tombecbee River, and north by the course of said river to the confluence of Alibamont and Tombecbee rivers, and afterwards along the western bank of Alibamont River to the mouth of Chicianoce (Cahaba) River, and from the confluence of Chickianoce and Alibamont rivers, a straight line to the confluence of Bance (Black Warrior) and Tombecbee rivers; from thence by a line along the western bank of Bance River till its confluence with the Tallatukpe River; from thence by a straight line to Tombecbee River opposite Atchalickpe (Hatchaligbee) and from Atchalickpe, by a straight line to the most northerly part of Buckatanne River, and down the course of Buckatanne River to its confluence with the River Pascagoula, and down by the course of the River Pascagoula, within twelve leagues of the seacoast; and thence by a due west line as far as the Choctaw nation have a right to grant.

"And the said chiefs, for themselves and their nations, give and confirm the property of all the lands contained between the above described lines and the sea, to his Majesty the King of Great Britain, and his successors, reserving to themselves full right and property in all the lands to the northward of said lines now possessed by them; and none of his Majesty's white subjects should be permitted to settle on the Tombechbee River to the northward of the rivulet called Centebonk (Sentaboque)". The limit of white settlement thus defined in the treaty would be a line extended westward through the central sections of the Wayne County of the present.

PREDECESSORS OF PETER CHESTER

Governor Johnstone fell into disfavor, both on account of his Indian policy and his personal quarrels, and resigned his office on December 17, 1766. On his return to England he entered Parliament, in which he served for some time, continued to quarrel and demand redress for claimed insults, attempted to bribe an American commissioner during the Revolutionary War and was

retired from the British body of negotiation. Before his death, in 1787, he retired from the naval service. Governor Johnstone seems to have had a genius for disturbance and little talent for conciliation.

Montfort Browne, the lieutenant governor, whom Johnstone had often charged with corruption and to whom pistols were suggested as a solution of their quarrel, succeeded to the governorship. John Elliott was appointed governor of West Florida in July, 1767, but committed suicide before he could be inducted into office. Browne continued to act as governor until 1770, making his residence mainly at Mobile. He had as great a penchant for duels as Johnstone. One of his pet schemes, which he was constantly urging upon the home government, was to intercept some of the Mississippi River trade by building a road from Natchez to Mobile. Browne was afterward a Mississippi River planter, at White Cliffs, and in 1777 was called to the government of the Bahamas.

PETER CHESTER, GOVERNOR OF WEST FLORIDA

In March, 1770, Peter Chester was commissioned governor of West Florida to succeed Browne, and until his arrival Elias Durnford, the provincial surveyor, was chief executive of the province. Up to this time Great Britain had held the eastern portion of the Mississippi Valley for about five years, and during that period much of the French population had moved to St. Louis or New Orleans, where the people felt that they were among their countrymen. Immigrants from the British colonies had commenced to replace them.

The pioneer Anglo-American colony which settled on the banks of the Mississippi was that from Roanoke River, North Carolina, about 1765, and established its habitations and plantations from the first highlands north of the Iberville bayou to the vicinity of Baton Rouge. But the immigrants who were reaching the Mississippi by way of the Ohio and Tennessee were becoming enamored with the more northern lands in the Natchez District. Governor Chester's administration ended only with the termination of British rule over West Florida in 1781, and marks the first period of the most pronounced influx of British population in the far southwest.

LARGE BRITISH IMMIGRATION

In January, 1768, the first recorded land grants were made in West Florida to retired naval and military officers of the British government. They were executed by Lieutenant Governor Montfort Browne. Among the grants which he thus issued were two tracts of 3,000 and 2,000 acres to Daniel Clarke, a reduced captain of the Pennsylvania troops and clerk of the council under the lieutenant governor. These grants were situated on the St. Catherine about three miles south of Fort Panmure, and embraced lands that had been partly cleared and improved under the French government. In the following year similar grants were made by Lieutenant Governor Browne. Grants dated during the early portion of 1770 were signed by Elias Durnford as lieutenant governor. From 1772 to 1779 Governor Chester granted large tracts of land.

In 1769 the British temporarily withdrew their troops from Fort Panmure and transferred them to St. Augustine, East Florida. One John Bradley was placed in possession of the fort charged with keeping it in a state of defense. It is evident that there were few settlements of a permanent nature made in what is now the state of Mississippi before Peter Chester was commissioned governor and John Stuart, superintendent of Indian affairs, obtained from the Choctaws the title to the area which afterward became known as the District of Natchez.

THE ESTABLISHMENT OF PROTESTANTISM

A large establishment of colonists in the Natchez area under English dominion was made by Gen. Phineas Lyman of Connecticut and Rev. Samuel Swayze, of New Jersey. These brought to the country the Protestant church, though during Chester's administration Episcopal clergymen were officiating at Pensacola, the Reverend Nathan Cotten of the Church of England having died at that place. The Jersey settlement was a fixed establishment of Protestantism in Mississippi. Rev. J. G. Jones in his history on this subject says:

"Among the first who came (to the Natchez District) was Amos Ogden, a reduced captain in the British navy, to whom the king of England had made a grant of 25,000 acres of land on condition that the land be located and permanently settled by a

specified number of families. Finding that he was unable of himself to comply with the conditions, he sold 19,800 acres of his grant to two wealthy planters from New Jersey by the names of Richard and Samuel Swayze, on condition that they would assist him in locating the land and would settle their portion of families on it. In 1772, after a tedious and perilous journey, Captain Ogden and the Swayze brothers with their families and connections to the full number required by the conditions of the grant, landed upon the site to raise corn in the following year. They settled on the Homochitto River near what was known as Kingston and formed what is still known as the Jersey settlement."

Rev. Samuel Swayze, one of the original settlers on the Ogden grant, was a Congregational minister. Soon after their arrival in the Natchez country they were regularly organized into a Congregational church, with Mr. Swayze as their pastor, which he continued to be until his death in 1784. Mr. Jones says: "There is no doubt that Mr. Swayze was the first Protestant minister that ever settled in what is now the state of Mississippi, and his church, the first Protestant church ever organized in it." In 1779, as a result of the expulsion of the British from the Floridas, the Natchez District came under Spanish rule and so continued for eighteen years. During that period there was some friction between the Spanish authorities and the Protestant ministers who remained. The members of Mr. Swayze's church were scattered. Later, under American rule, they and their descendants became constituent elements in the formation of the Methodist, Baptist, Presbyterian, and Episcopal churches in the states of Mississippi, Louisiana, Arkansas and Texas.

ROYALISTS AND PATRIOTS

Most of the first British settlers in the Natchez District had been officially attached to the mother country, generally in the service of its army or navy. During the early period of the Revolutionary War, therefore, the leading settlers of that region and the Lower Mississippi Valley were stanch royalists. Many refugee Tories were attracted to the fertile lands of the Mississippi where the contentions of the war had not penetrated. Of this class was Elihu Hall Bay, of South Carolina, an official under Governor Chester during the Revolution, who received from him a large grant of land in the Natchez District, and, by purchase,

became the owner of other large tracts on the Homochitto and at Walnut Hills. In later years, he was honored with a position on the bench of South Carolina.

ANTHONY HUTCHINS

But the most notable royalist who was ever identified with the history of the Natchez District and Mississippi territory was Anthony Hutchins, an elder brother of the famous surveyor, geographer and patriot, Captain Thomas Hutchins. Although born in New Jersey, Anthony was a South Carolina planter of the Santee Hills at the time of the outbreak of the Revolution. In that region the patriots were so numerous and aggressive that in 1777, with a large party of royalists, or loyalists, he started overland for the Holston River, a tributary of the Tennessee. The surveying expeditions of his brother, Thomas, had brought the Natchez District into such favor that the former had deeded to Anthony two thousand acres of land about sixteen miles from the fort, in July, 1775. One of the witnesses to the deed was Elihu Hall Bay. It was this tract of land which Anthony Hutchins, with his followers, set out to occupy in 1777.

According to the narrative in Sparks' Memoirs of Fifty Years, Anthony Hutchins, with family, neighbors and negroes, moved over the mountains, when the war was inevitable, from the Santee Hills of South Carolina to the Holston River of East Tennessee, where they built a fleet of flat boats from the forest to convey themselves, their slaves, livestock and provisions up the valley of the Tennessee and down the Ohio and Mississippi to their destination. At Mussel Shoals on the Tennessee they were attacked by Chickamauga Indians and one of the boats loaded with hogs was abandoned. In the attack Hutchins was wounded. After this interruption, the party floated northward to the Ohio, thence down to the place afterward known as New Madrid, where, after a brief stop, the alarming information was brought that the mongrel inhabitants of the bordering country were preparing to kill them for their property. Slipping away at night, they did not stop till they reached the mouth of Cole's Creek, whence they moved to the St. Catherine's.

Anthony Hutchins, a man of varied talents, though dogmatic and tenacious in his opinions, was soon accepted as one of the most substantial, able and dependable subjects of the king in West

SIGILLUM PROVINCIÆ NOSTRÆ FLORIDÆ OCCIDENTALIS
MELIORIBUS LITE
CATIS
GEORGIUS III D. G. MAG. BRITT. FRANC. ET HIBERN. REX FIDEI DEFENSOR BRUNSWIC. ET LUNEBURG.
QUI

GREAT SEAL OF THE BRITISH PROVINCE OF WEST FLORIDA

Florida. Since the establishment of British rule, the province had had its council and assembly. They made the land grants, superintended the Indians, regulated commerce, roads, pilots, elections and, when they could, military posts. The electoral boroughs or precincts varied from time to time. Governor Chester managed to get along without an assembly until 1778, when militia and Indian bills had to be passed. Then four representatives were allotted to the districts of Natchez, Manchac, Mobile and Pensacola; Anthony Hutchins and Isaac Johnston were members for the district of Natchez.

NATCHEZ AN ANGLO-SAXON NUCLEUS OF THE MISSISSIPPI VALLEY

Writing of Natchez at the time of the advent of Anthony Hutchins, Peter J. Hamilton, in his *Colonial Mobile*, remarks:

"Unless we except military posts like Fort Chartres and Vincennes, surrounded by a French population and Watauga and Kentucky pioneers near the Alleghanies, there was no other English colonization in the Mississippi Valley up to this time, and Natchez may be said to begin the movement of the Anglo-Saxon towards the Mississippi." At this time the Province of West Florida was made up of three distinct districts—that of Pensacola, the capital, that about Mobile, and that on the Mississippi from Natchez to Fort Bute, the progress at Biloxi having given way to a large extent to more favorable oportunities on the Mississippi. The population soon became largely British, for the settlers were either from the British Isles or were of the second growth from the older colonies. "It is true," says Hamilton, "that Mobile and its vicinity were predominantly French in blood, but many of the leading inhabitants were British and all, even the natives, were contented and prosperous under their new allegiance."

The vast territory was unoccupied and the Indians still had possession of the interior. With the exception of a few settlers who ventured above the McIntosh Bluff the Choctaws held the vast stretch between the Tombigbee and the Mississippi, with the Creeks to the east. These enjoyed at this period a friendly intercourse with the English and purchased goods and supplies from Pensacola and Mobile through McGillivray & Strothers, and Panton, Leslie & Company, both carrying on a thriving business.

THE REVOLUTIONARY WAR REACHES NATCHEZ

As the loyalists of the Natchez District were of British blood and largely indebted to their King for their landed possessions and peaceful homes, it was but natural that they should look with disfavor upon the actions of Spain in furnishing supplies of war to the American patriots by way of New Orleans and the Mississippi Valley. In the summer of 1777 Oliver Pollock was appointed by the American government as its agent at New Orleans for supplying the western posts with ammunition, military stores and munitions of war of all kinds. To carry out this arrangement with the Spanish authorities Captain James Willing, who had formerly been a resident of the Natchez District, and other American officers, repeatedly supplied the American posts on the Ohio and Upper Mississippi with the necessary munitions of war from Spanish supplies, in 1777, 1778 and 1779. Supplies of this kind, including several small field-pieces of artillery, had been transported up the Mississippi and Ohio rivers in keel-boats and barges under the command of American officers, a consignment having even been received at Fort Pitt. The Spanish possessions on the west side of the Mississippi, and the constant intercourse between New Orleans and Upper Louisiana by means of river traffic, had greatly facilitated the patriots in the arduous enterprise of transporting military stores upon a river, the eastern half of which was claimed by Great Britain, which had settlements and military posts for more than two hundred miles below the mouth of the Yazoo. Several commanders engaged in convoying these contraband stores up the river had been murdered by Indians allied to the interests of Great Britain and attacks were frequent. It was extremely difficult to evade the vigilance of the English commandants, and the Americans were sometimes obliged to procure their supplies through Spanish bargemen beyond the surveillance of the British posts.

It was on one of these expeditions, in the winter and spring of 1778, that Captain Willing descended the Mississippi with a detachment of fifty men in two keel-boats. Although in the service of the United States, he did not care to molest the British settlements on the east side of the river, provided he could receive assurances of their neutrality. This assurance was particularly necessary in regard to the Natchez District, which was influential

and especially loyal to the British cause. The result of Captain Willing's visit to that region to obtain a formal acknowledgment of neutrality from the Natchez community was to bring the Revolutionary War for the first time to the lower Mississippi Valley.

In order to place this question of neutrality beyond doubt, on his downward trip to New Orleans, according to Monette and others writing of that period, Captain Willing landed at Natchez and, having obtained an interview with some of the citizens, he took the state of mind of the town in a public meeting and with the general approbation entered into a written convention of neutrality. The convention having been concluded and signed, the captain prepared to descend the river with his boats and men, but before he embarked was informed that several individuals refused to abide by the action of the convention. The American officer therefore dispatched a corporal's guard, at night, to the most obnoxious of the loyalists, and conveyed them, with their slaves and other personal property to his headquarters on board his vessel. There they were detained under guard until assurances were given that they would not violate the convention of neutrality. They were then set at liberty.

There was one exception to the rule. Anthony Hutchins refused even to become a neutral, and Captain Willing retained him in custody and conveyed him to the City of New Orleans. After a few days Captain Willing gave him his liberty on parole. Hutchins returned to Natchez with the alarming report that Willing was preparing to return and plunder the district, as his men had done about Baton Rouge and Manchac. In these lower districts there had been wholesale pillage of the property of prominent royalists by disorderly characters, the outrages being largely attributed to those connected with the American cause.

ONE OF THE AMERICAN BOATS ATTACKED BY ROYALISTS

It appears that during Captain Willing's absence some depredations had been committed in the Natchez District, which the loyalists claimed absolved them from their agreement as to neutrality. Colonel Hutchins (who still retained his commission in the British army) raised a body of armed men to resist all such marauders. A few weeks after the calling of the convention at Natchez, Captain Willing sent one of his boats on its return trip up the Mississippi. The boat was commanded by Lieutenant

Reuben Harrison, who had been instructed to take his position for a short time at Natchez in order to secure a strict observance of neutrality. Under the direction of Colonel Hutchins an ambuscade was formed at Ellis's Cliffs, a short distance below the mouth of St. Catherine's Creek, Harrison's boat attacked and five of his men killed and several wounded.

This ambuscade and attack, which have been judged from the standpoints of an inexcusable assault by the patriots and an action in the line of self-defense from a home enemy by the royalists, is thus described by Andrew Ellicott, the famous surveyor of the boundary line between the American and Spanish possessions, and the professional successor of Thomas Hutchins:

"The party in concealment had been awaiting the expected arrival of this boat, which was known to be a few miles below. An ambuscade was formed, and two persons were unconcealed to entice the boat near the shore. The boat was seen for several miles below as she slowly toiled up the strong current. In an affidavit made by James Truly before William Ferguson, Esq., on the 6th of November, 1797, in Fairchild's precinct, he declares 'he has resided in the Natchez district since 1773 and is well acquainted in that vicinity; and that the party was commanded by Colonel Hutchins. That the party was concealed in the bushes and cane, while Captains Hooper and Bingaman remained upon the shore to hail the boat; that when the signal for enticing the boat over was made some one urged that they should fire upon them as soon as they came in reach without speaking; but that the people objected and said it would be time to fire when they found there was a necessity. When they appointed Captains Hooper and Bingaman to remain unconcealed by the water-side (the rest being concealed) to know their intentions; but when Lieutenant Harrison came near enough to speak and discovered that he had been basely decoyed over, he spoke aloud and said he desired all those who were friends of the United States to separate from those who were not. In answer to which, Captain Hooper ordered all those on board who were friendly to the Natchez (English) to fall below the gunwale or jump ashore. In the confusion which ensued a volley was fired from all sides and five Americans were killed. The rest jumped ashore and called for quarter.' "

It is not known whether Captain Willing was taken prisoner by the English during the expedition of 1778, but it is certain

that he was a prisoner of war in 1779. He was considered by the British a dangerous emissary of the Continental Congress who was using his utmost influence and talents to induce the Spanish governor at the first intelligence of a rupture between the English and Spanish courts to reduce the British posts of West Florida. The attack upon his men hastened and intensified his exertions toward that end.

WEST FLORIDA CONQUERED BY SPAIN

The recognition of the revolted provinces by France and the friendly acts of Spain in supplying sinews of war to the western posts of the United States caused a rupture with Great Britain. On the 8th of May, 1779, his Catholic majesty of Spain declared war against Great Britain, and Don Bernardo de Galvez, then civil and military governor of Louisiana, was early notified of the commencement of hostilities with his traditional enemy. That brilliant young officer, colonel of the famous Creole regiment of New Orleans, was the son of a noted Spanish officer and viceroy of Mexico, and moved rapidly in the projected work of expelling the British from Florida. After some opposition and consequent delay on the part of his Cabildo, or Council, he organized about fourteen hundred men ready to take the field.

In the meantime, Governor Chester had sent Colonel Magellan to raise four companies of militia and again garrison Fort Panmure at Natchez. According to the best sources of information, while these volunteers were being commanded by local officers, who had been identified with the resistance of Captain Willing and his men, Captain Michael Jackson appeared to take charge under orders from Pensacola. He had with him a company of royalist refugees, officers and men being of doubtful character. So much discontent was aroused by the presence of the company thus quartered on the community that there was a revolt of citizens and volunteers, headed by Anthony Hutchins, who arrested Jackson and ordered him to resign his commission as an officer and leave the country. Captain Lyman again took command at Fort Panmure, but Jackson, instead of leaving the country, collected a miscellaneous party of deserters, brigands and Choctaws, seized some military stores and two pieces of artillery and posted his force under the bluff at the landing. But the sight of the British flag again flying at the fort determined the Choctaws to

abandon the enterprise. At length Jackson decamped with considerable stolen property. Most of the garrison at Fort Panmure was ordered to Baton Rouge, in consequence of the prospect of a war with Spain. Colonel Dickson was in command at that point and sent Captain Foster to Fort Panmure to take charge of the hundred men left there to hold the Natchez District.

This was the condition of military affairs in the river district of West Florida when the bold and arrogant young Galvez, with fourteen or fifteen hundred men, set out to subdue it to Spanish rule in September, 1779. On the 7th of the month he carried Fort Bute by assault—an easy operation, as it was held by a garrison of only about twenty.

The capture of Baton Rouge was an undertaking of another nature. It was well supplied with arms, military stores and provisions, was equipped with thirteen pieces of heavy artillery and garrisoned by four hundred regulars and one hundred militia. By a feint Galvez distracted attention from the locality where he erected his batteries within musket shot of the British fortifications and cannonaded the post for two and a half hours. The attack of his gunners was so effective that at the end of the artillery assault, on the 21st of September, 1779, Colonel Dickson displayed the white flag and proposed to capitulate. With his command, the British officer was permitted to retire to Pensacola, but he not only surrendered the British post of Baton Rouge, but Fort Panmure and the entire district of Natchez.

For his soldier-like conduct and successes at the Manchac and Baton Rouge, the king of Spain conferred upon Galvez the commission of brigadier general of the royal forces of Louisiana, with orders to further prosecute the destruction of British power in West Florida. Having received reenforcements from Havana, the Spanish commander sailed with his fleet for the reduction of Fort Charlotte, Mobile, in January, 1780. A violent gulf gale nearly destroyed his vessels and, after many other vexatious delays, he landed his troops, artillery and military stores on the east bank of the river near the fort. From that vantage point six strong batteries opened upon Fort Charlotte, which was forced to capitulate on the 14th of March.

The reduction of Mobile being effected, Galvez returned to New Orleans to prepare for the capture of Pensacola, capital of West Florida, and defended by the strongest fortress in the prov-

ince. It was not until February, 1781, that he was able to set sail for the Florida coast from the West Indies. Off the coast of Louisiana, Galvez' armament of one man-of-war, two frigates and several transports, was joined by the land and naval forces from New Orleans. On the 9th of March, the combined force appeared before the port of Pensacola, and the fort opened a heavy fire upon such vessels as ventured within range of its guns. The Spaniards then commenced a regular investment, several of their batteries opened upon the fort on the first of April, but it was not until the 9th of May that the lodgement of a bomb-shell in the magazine of the fort exploded with such dire effects that the British commander capitulated on the same day leaving the daring Spaniard an easy victor.

By the articles of capitulation at Pensacola, Great Britain surrendered to his Catholic Majesty its fortress and fort, together with the garrison of eight hundred men as prisoners of war, and the entire dependence of West Florida. Immediately following the surrender of Pensacola, strong garrisons of Spanish soldiers, then renowned the world over for courage and discipline, occupied Pensacola, Mobile, Baton Rouge, Manchac, Nogales (now Vicksburg) and other points, all under the control of Galvez, who came to be acknowledged as one of the ablest soldiers and administrators of his times.

The administration of Governor Chester automatically ceased with the capture of Pensacola by Galvez, but the Natchez District, which was virtually all there was of value in what is now Mississippi, was under Spanish jurisdiction from the time of the fall of Baton Rouge in 1779. From that year Fort Panmure, and the district of which it was the center, were under the administration of a military and civil commandant, subject to the governor of Louisiana. With the exception of the revolt of the British settlers in the Natchez district against Spanish rule shortly before the fall of Pensacola in 1781, Spain held sway over the territory embraced in the present state of Mississippi up to the mouth of the Yazoo for a period of twenty years. But though Spain controlled the country the population was almost entirely of British origin.

ENGLISH LAND GRANTS IN MISSISSIPPI, 1768-1779

The list contains the names of grantee, date of grant and number of acres in the grant, and includes the Natchez District which

was a part of British West Florida. The list covers only the territory now included in the State of Mississippi. It was compiled from the papers of the English Public Record Office, London.

Name	Date of Grant	No. of Acres
Thomas Hardy	July 8, 1768	300
Henry Fairchild	Nov. 23, 1768	2,000
Daniel Ward	Nov. 24, 1768	1,500
John Ward	Nov. 24, 1768	600
Benjamin Ward	Nov. 24, 1768	2,000
Joshua Ward	Nov. 24, 1768	600
Daniel Clark	Dec. 6, 1768	500
William Burrows	Dec. 6, 1768	600
Charles Stewart, Esquire	Dec. 6, 1768	2,000
Joseph Smith	Nov. 30, 1768	1,200
Alexander Boyd	Dec. 15, 1768	250
Charles Strachan	Dec. 10, 1768	1,000
James Chambers	Dec. 15, 1768	1,000
William Carothers	Dec. 15, 1768	500
Jeremiah Terry, Esqr.	July 23, 1769	460
Thomas Taylor Byrd*	Feb. 1, 1773	600
Thomas Taylor Byrd*	Feb. 2, 1773	600
William McPherson*	April 26, 1773	600
William McPherson*	April 27, 1773	600
Richard Carr*	Nov. 27, 1772	1,000
Thomas Hutchins, Esquire*	May 12, 1773	1,000
Thomas Hutchins*	May 13, 1773	1,000
James Donald	June 5, 1778	400
James Donald	June 5, 1778	622
Edmund Rush Wegg	July 18, 1778	2,000
Hugh Hamilton	Aug. 6, 1778	500
John Lum	Aug. 6, 1778	350
Walter Scott	Aug. 6, 1778	500
Richard Pearis	Aug. 6, 1778	600
Richard Pearis	Aug. 6, 1778	500
Robert Donald	Aug. 15, 1778	650
Richard Pearis	Aug. 15, 1778	800
Patrick Gallachan	Aug. 15, 1778	700
Patrick Gallachan	Aug. 15, 1778	500

* The asterisk indicates grants from original patentees to private individuals.

Name	Date of Grant	No. of Acres
William Collins	Sept. 12, 1778	100
Edmund Rush Wegg	Sept. 21, 1778	1,000
Farquhar Bethune	Sept. 21, 1778	650
William Collins	Sept. 23, 1778	300
William Collins	Sept. 23, 1778	50
Elihu Hall Bay and James Amoss	Sept. 23, 1778	1,000
John Mason	Oct. 13, 1778	500
John Miller	Oct. 13, 1778	100
James Peterkin	Dec. 29, 1778	500
William Clark	Dec. 29, 1778	500
John Mitchel, Junior	Dec. 22, 1779	500
John Clover	March 19, 1779	500
Hugh Crawford	March 19, 1779	200
John Wheeler	March 19, 1779	200
William Vousdan	March 19, 1779	500
John Herin	March 19, 1779	100
Thomas Scott	April 23, 1779	480
Alexander Graydon	May 4, 1779	300
Alexander McIntosh	May 25, 1779	4,659
John Gordon	June 16, 1779	850
William Eason	July 7, 1779	500
Robert Tait	Jan. 29, 1780	550
William Thompson	Jan. 29, 1780	450
Thomas Frey	July 4, 1769	200
Richard Barrey	July 4, 1769	50
James Lovell	July 22, 1769	1,000
Joseph Harrison	July 22, 1769	1,525
George Harrison		
John Hayton		
Joseph Hayton		
George Petrie	July 22, 1769	1,000
William Fetherston	July 22, 1769	140
Thomas Coan	July 22, 1769	50
John Bradley	July 22, 1769	1,000
Mary Oliver	July 22, 1769	150
John Smith	July 22, 1769	600
Jacob Phillippi	July 22, 1769	600
James Watkins	July 22, 1769	500

Name	Date of Grant	No. of Acres
Richard Freeman Pearnes	July 22, 1769	50
William Fetherstone	July 22, 1769	1,000
Simon McCormick	July 22, 1769	50
William Mill	July 22, 1769	50
Samuel Osbourn	July 22, 1769	300
Alexander McIntosh	March 6, 1770	500
Philip Barbour	June 5, 1770	1,500
John Murrey	Aug. 25, 1770	500
Richard Thompson	Aug. 25, 1770	500
Frederick Haldimand, Esqr.	Aug. 1, 1772	1,000
Frederick Haldimand, Esqr.	Aug. 1, 1772	500
Alexander McIntosh	April 19, 1773	500
Andrew Rainsford	May 12, 1773	1,250
Thomas Hutchins, Esquire	May 12, 1773	1,000
Thomas Hutchins, Esquire	May 12, 1773	1,000
Jacob Winfree	July 7, 1773	1,000
John Southwell	Aug. 2, 1773	1,900
John Summers	Aug. 2, 1773	2,000
Anthony Hutchins, Esquire	Aug. 2, 1773	434
William Hay, Esquire	Aug. 25, 1773	2,000
Major John Small	Aug. 25, 1773	1,000
Captain William Hay	Aug. 25, 1773	1,000
David Dickson, Esquire	Sept. 27, 1773	2,000
David Dickson, Esquire	Sept. 27, 1773	1,000
John Small, Esquire	Sept. 27, 1773	1,000
Major John Small	Sept. 27, 1773	1,100
Elihu Hall Bay	Sept. 27, 1773	1,100
John Dalling, Esquire	Nov. 4, 1773	5,000
James Rumsey	March 26, 1774	1,000
Amos Ogden, Esquire	May 6, 1774	3,000
James Barbutt, Esquire	June 13, 1774	500
James Barbutt, Esquire	June 13, 1774	1,000
Jacob Lantor	Oct. 8, 1774	300
William Wilton	Oct. 17, 1774	500
David Dickson, Esquire	Oct. 21, 1774	3,000
Patrick Strachan	Oct. 21, 1774	1,000
Thomas Hutchins	Oct. 21, 1774	600
Mrs. Alice Blommart	Oct. 21, 1774	500
Mr. Luke Home	Oct. 21, 1774	600

Name	Date of Grant	No. of Acres
Thomas Gamble, Esquire	June 13, 1774	1,000
William Johnstone	May 5, 1775	2,000
William Johnstone	May 5, 1775	1,000
Enoch Horton	May 4, 1775	200
John Hocombe	May 29, 1775	1,333
John Hocombe	May 29, 1775	667
John Robinson	July 15, 1775	2,000
Clifton Ann Raincock	July 15, 1775	1,000
William Judd	July 15, 1775	1,000
William Judd	July 15, 1775	1,000
Thomas Hutchins, Esquire	July 15, 1775	2,000
Jeremiah Germain	Aug. 31, 1775	300
William Johnstone	Sept. 12, 1775	1,000
William Gorman	Sept. 12, 1775	243
James Barbutt	Sept. 13, 1775	1,000
Major Robert Farmer	Sept. 22, 1775	3,000
Charles Stuart	July 31, 1775	1,000
Charles Stuart	July 31, 1775	1,000
Charles Stuart	July 31, 1775	1,000
Charles Stuart	July 31, 1775	1,000
Roger Enos	Oct. 13, 1775	2,000
William Wilton	Oct. 13, 1775	300
Joseph Blackwell	Oct. 18, 1775	1,000
James Bruce, Esquire	Nov. 2, 1775	167
Philip Barbour	Feb. 12, 1776	500
John Allen Martin	Feb. 12, 1776	1,000
William Hindson	Feb. 12, 1776	2,000
William Wilton	Feb. 12, 1776	1,000
John Cadwallader William Williams Mary Williams Ann Williams	Feb. 20, 1776	1,000
Sir George Bridges Rodney, Baronet	Oct. 13, 1776	5,000
Jacob Paul, Senior	March 27, 1776	100
Samuel Lewis	March 27, 1776	200
Sarah Lewis	March 27, 1776	100
William Grant	May 6, 1776	1,000
William Grant	May 6, 1776	1,000

Name	Date of Grant	No. of Acres
William Grant	May 6, 1776	1,000
John Lorimer	May 6, 1776	2,000
Thomas Jones	May 6, 1776	200
Susanna Jacobs	May 6, 1776	200
Daniel Perry	May 6, 1776	250
Sir Basil Keith	July 8, 1776	3,000
Evan Cameron	July 22, 1776	150
Philip Barbour	Nov. 12, 1776	250
Philip Barbour	Nov. 12, 1776	250
Philip Barbour	Nov. 12, 1776	250
Robert Robinson	Nov. 14, 1776	100
William Hays	Nov. 14, 1776	400
Hannah Lum		
William Lum and Jesse Lum	Nov. 14, 1776	300
Robert Spears	Nov. 22, 1776	500
Peter Chester, Esquire	Nov. 22, 1776	1,000
Elizabeth Augusta Carrique	Nov. 22, 1776	500
Edward Tying	Nov. 29, 1776	2,000
George Cauld, Esquire	Dec. 12, 1776	2,000
John Payne	Dec. 12, 1776	2,000
Augustine Prevost, Esquire	Dec. 31, 1776	5,000
Daniel Vanderweid	Feb. 24, 1777	500
Cephas Kenard	March 4, 1777	250
David Waugh	March 11, 1777	1,000
William Marshall	March 24, 1777	1,000
William Ellis	March 24, 1777	200
Donald McPherson	April 5, 1777	300
Jacob Paul, Junior	April 5, 1777	100
Thomas Harmon	April 22, 1777	650
John Blommart	April 29, 1777	2,000
George Grant	May 1, 1777	2,000
James Hutchinson	May 1, 1777	200
Benjamin Gower	May 5, 1777	500
Alexander McIntosh	May 5, 1777	400
John Smith	May 26, 1777	200
John Bolls	May 26, 1777	100
Parker Carradine	May 26, 1777	100
James Smith Yarborough	June 2, 1777	400
James Robertson	June 16, 1777	2,000

Name	Date of Grant	No. of Acres
John Alston	June 16, 1777	450
Mary Ogden	June 30, 1777	500
Patrick Stuart	July 11, 1777	1,000
Philip Harmon	July 21, 1777	150
John Bentley	July 21, 1777	200
William Browne	July 21, 1777	150
Mary Dwyer	July 28, 1777	200
Angelique Brouaque Johnstone	Aug. 15, 1777	1,000
Thomas James	Aug. 15, 1777	500
Thomas James	Aug. 15, 1777	100
Isaac Johnson	Sept. 1, 1777	1,000
John Blommart, Esquire	Sept. 1, 1777	200
Margaret Stampley	Sept. 1, 1777	100
William Vousdan	Sept. 15, 1777	200
Alexander McIntosh	Oct. 9, 1777	200
Samuel Gibson	Oct. 9, 1777	100
James Perry	Oct. 9, 1777	100
Christopher Marr	Oct. 9, 1777	100
Luke Collins, Senior	Oct. 9, 1777	500
Luke Collins, Junior	----------	200
Thomas Collins	Oct. 9, 1777	200
Theophilus Collins	Oct. 9, 1777	200
Michael Golden	Oct. 9, 1777	100
John Tally	----------	300
Benjamin Roberts	----------	250
Athannasius Martin	Oct. 9, 1777	100
William Case	Oct. 9, 1777	300
Christian Bingamon	Oct. 11, 1777	600
John Lusk	----------	150
Jeremiah Routh	Oct. 13, 1777	500
Nathan Sweazey	Oct. 13, 1777	250
John Watkins	Oct. 23, 1777	250
David Odam	Oct. 23, 1777	200
William Stiell	Nov. 8, 1777	200
William Fricker	Nov. 8, 1777	2,000
Weston Varlo, Esquire	Nov. 13, 1777	2,000
Weston Varlo	----------	2,000
Weston Varlo, Esquire	----------	1,000
Alexander Ross	Nov. 19, 1777	2,000

Name	Date of Grant	No. of Acres
James Robertson	Dec. 17, 1777	500
Peter Kennedy	Dec. 17, 1777	500
Peter Kennedy		500
Mrs. Sarah Stuart	Dec. 17, 1777	1,000
Richard Wells	Jan. 6, 1778	2,000
Peter Walsh	Jan. 6, 1778	924
Peter Rochat		2,000
James Hughes	Jan. 6, 1778	550
Augustin Prevost	Jan. 15, 1778	1,000
Peter Beeson	Feb. 14, 1778	100
Ebenezer Brown		100
Emanuel Madden		100
John Stephenson	Feb. 28, 1778	1,200
John Arnott	March 11, 1778	2,000
James Cole	March 20, 1778	550
John Collins	March 20, 1778	200
William Collins		200
John Ross	March 20, 1778	300
Andrew Cypress	March 20, 1778	100
William Stiell	March 30, 1778	2,000
George Eberhard	March 30, 1778	500
Augustin Prevost	March 30, 1778	1,000
Augustin Prevost	March 30, 1778	1,000
John Grant	April 9, 1778	2,000
Donald McDonald	April 29, 1778	2,000
Richard Hawford	May 14, 1778	2,000
Phillip Affleck, Esquire	May 15, 1778	5,000
John Bolls	Aug. 6, 1778	150
Thomas Comstock		150
William Stiell, Esquire	Aug. 15, 1778	2,000
John Chrystie, Esquire	Aug. 15, 1778	1,000
Archibald Dalziel	Aug. 15, 1778	800
Archibald Dalziel	Aug. 15, 1778	300
Archibald Dalziel		300
Archibald Dalziel		300
Archibald Dalziel	Aug. 15, 1778	300
Joseph Charleville	Aug. 15, 1778	200
Robert Tendall	Aug. 22, 1778	2,000
John Marr	Sept. 23, 1778	500

Name	Date of Grant	No. of Acres
John Marr		500
James Sutherland	Sept. 23, 1778	1,500
James Sutherland	Sept. 23, 1778	1,500
Christopher Gise	Nov. 11, 1778	706
Ann Williams	Nov. 11, 1778	300
Ephriam Thornell	Nov. 12, 1778	100
John Hartley	Nov. 12, 1778	200
George Eberhard	Nov. 24, 1778	500
James Murray	Nov. 24, 1778	500
Jacob McCarty	Dec. 5, 1778	300
Francis Fisher		100
Stephen Jordon	Dec. 5, 1778	200
Thomas Carter	Dec. 5, 1778	150
Henry Bradley	Dec. 5, 1778	150
Augustine Moreau	Dec. 19, 1778	100
Thomas Pitt	Jan. 15, 1779	200
Benjamin James	Jan. 15, 1779	500
Alexander Campbell	March 15, 1779	1,000
Frederic George Mulcaster	March 24, 1779	1,000
Robert Ross	March 31, 1779	1,000
Jahn Auchinleck	April 8, 1779	3,000
Peter Walsh	April 26, 1779	585
James Hughes	April 26, 1779	1,000
Joseph Nunn, Esquire	May 10, 1779	3,000
John Ferguson, Esquire		3,000
Daniel McGillivray	May 25, 1779	300
John Hostler	May 25, 1779	200
John Row	May 25, 1779	200
Jacob Schnell	May 25, 1779	300
Beniamin Stanley		200
William Garnier, Esquire	May 28, 1779	5,000
Richard Ellis	June 16, 1779	850
Richard Ellis	June 16, 1779	1,000
Zaccheus Routh		400
Charles Campbell	July 21, 1779	100
Jacob Paul		200
Sarah Mayes	July 23, 1779	100
Andrew Carr	July 22, 1779	200
Lieut. Col. William Stiel	Aug. 27, 1779	1,000

Name	Date of Grant	No. of Acres
Joseph Pinhorn	Aug. 21, 1779	200
James Christie	Sept. 8, 1779	565
Charles Percy	Sept. 23, 1779	600
John Firby	Sept. 23, 1779	100
Anthony Hutchins, Esquire	Oct. 4, 1779	419
Patrick Kelly	Sept. 2, 1779	200

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FLAG OF SPAIN, 1512-1699

From Painting by N. Benson

As emblems of sovereignty seven flags have waved over the State of Mississippi:

FLAG OF SPAIN, 1512-1699

FLAG OF FRANCE, 1699-1763

FLAG OF ENGLAND, 1763-1779

FLAG OF SPAIN, 1779-1798 AND 1812

FLAG OF THE UNITED STATES, 1798-1861

THE MAGNOLIA FLAG OF MISSISSIPPI, 1861-1894

FLAG OF THE CONFEDERACY, 1861-1865

FLAG OF THE UNITED STATES, 1865-

FLAG OF MISSISSIPPI, 1894-

CHAPTER VIII

SPANISH DOMINION

THE BRITISH REVOLT OF 1781—ADMINISTRATION OF DON BERNARDO DE GALVEZ—CONFLICTING TERRITORIAL CLAIMS—INTRODUCTION OF ESTEVAN MIRO—OTHER COMMANDANTS OF THE NATCHEZ DISTRICT—SPANISH LAND GRANTS—THE NATCHEZ DISTRICT IN 1785—ADMINISTRATIVE CHANGES—RELATIONS WITH THE BRITISH—NATCHEZ DISTRICT CLAIMED AS GEORGIA COUNTY—ANDREW JACKSON IN THE NATCHEZ DISTRICT—ADMINISTRATION OF ESTEVAN MIRO—WESTERN DEMANDS FOR A FREE MISSISSIPPI—COLONEL WILKINSON SUGGESTS SPANISH-WESTERN ALLIANCE—KENTUCKY CROWDS OUT NATCHEZ TOBACCO—NATCHEZ IN 1790—FORT NOGALES—ADMINISTRATION OF CARONDELET—SPANISH-WESTERN CONSPIRACY FAILS—AMERICAN BOUNDARY COMMISSIONER ARRIVES—ELLICOTT'S FIRST ASTRONOMICAL OBSERVATIONS—COMMENCEMENT OF SPANISH DELAYS—SPANISH POSTS STRENGTHENED—ELLICOTT'S ESCORT STRENGTHENED—OTHER SPANISH EXCUSES FOR DELAY—SPANIARDS RETREAT TO FORT PANMURE—COMMITTEE OF PUBLIC SAFETY ORGANIZED—PERMANENT COMMITTEE FORMED—GAYOSO COMMISSIONED GOVERNOR GENERAL—THE END OF SPANISH RULE—SOUTHERN BOUNDARY AT LENGTH SURVEYED—A PERSONAL LINK BETWEEN SPAIN AND AMERICA—SPANISH CENSUS OF THE NATCHEZ DISTRICT, 1792—PROVINCIAL GOVERNMENT.

At the fall of Baton Rouge in September, 1779, Galvez had left Lieut. Col. Don Carlos de Grand Pré at the post named, with two officers under him in command of Fort Panmure and Fort Bute. At the time that British Florida fell to Spain there seemed to be no question as to its Mississippi River boundary being at least as far north as the mouth of the Yazoo, and within a few years the Spanish had built posts and established themselves upstream nearly to the Ohio River. What is now the State of Mississippi, during the period of Spanish rule, from 1779 to 1798, was directly subject to the government of Louisiana.

THE BRITISH REVOLT OF 1781

While Galvez was still bombarding the strong fortress at Pensacola with his heavy artillery and the issue was yet in doubt, the British of the Natchez District were preparing to revolt against the Spanish garrison of Fort Panmure. There were a

number of retired officers who had served under successful British generals in the Canadian campaigns and the siege and capture of Havana. They and the people of their race were Protestants and believed that Spanish rule meant general religious control and persecution.

All the conditions and race prejudices were such as to suggest a rebellion while the Spanish garrison at Fort Panmure was weak and the able leader of the enemy forces was engaged with the bulk of his army in the work of reducing the strongest British fortress in the province. In fact, the British rebels at Natchez believed that the investment of Pensacola would be futile. As stated by Claiborne, they determined to hold the fort for the king, or to deliver it to the American forces if they descended the Mississippi. They were loyal to England, but they preferred American to Spanish rule.

The leaders of the revolt were those who had been prominent in the opposition to Captain Willing, the most active in both movements being Colonel Anthony Hutchins, whose strong personality drew about him an enthusiastic following. He had been a captain in the 60th regiment, British foot, and had served under Lord Amherst, former commander of the British armies in America. Captain D. Blomart and Captain Thaddeus Lyman had both served with Colonel Hutchins in the Canadian campaigns and all had retired on half pay. Christian Bingaman and Jacob Winfree, also prominent in the uprising, had held commissions in the provincial army under General John Forbes, the captor of Fort Duquesne and the savior of the Ohio valley for Great Britain. Captain John Ellis had commanded a company of Virginians in the battalion of Royal Americans under General John Stanwix, the Indian fighter. And there were others concerned in the local revolt, including several Protestant clergymen, the suppression of which was to be so hard a blow to the British settlers of the Natchez District.

The conspirators had sent a messenger named Mann to Pensacola for assistance in their enterprise. They received encouragement from both General Campbell, the commander at Pensacola, and Governor Chester, the civil executive. The commander advised them, in writing, to seize the fort and promised them troops, while the governor sent such supplies as he could spare. The messenger was directed to set out on his return, but to stop in the

Choctaw nation with one Folsom, a white man who had married an Indian wife and become chief, and there to await further instructions. Feeling assured that in the event of defeat they, at least, would be secure from Spanish retribution by a timely retreat to the Choctaw country, Mann engaged the coöperation of Folsom by representing to him the prospect of plunder from the Spanish fort and some boats expected from the Illinois. The two men, with a small force of white men and Indians, then proceeded to Natchez and joined their eager associates. The British loyalists, believing they had the sanction of Governor Chester to immediately seize Fort Panmure, at once assembled for action. They took position on a hill at the house of John Rowe, in plain view of the fort, and on the 22nd of April, 1781, unfurled the British standard. An old damaged field piece, ploughed from the soil of the French meadows, and two swivels captured from Captain Willing's boat in the ambuscade below Natchez, were mounted near Rowe's house to the southeast of the fort where the British gunners were protected by a deep ravine.

Noting these hostile preparations, the Spanish commandant sent an officer to the insurgents warning them of the consequences of an attack, with the promise of amnesty for all but their leaders. The reply was a discharge from the light British guns and an answering volley from the heavier artillery of the fort. Accounts differ as to the result of this preliminary artillery duel; one, that the fire from the fort tore through the house occupied by the besiegers, killing a corporal and wounding three others, and another is to the effect that a shot from the assailants passed through the commandant's house in the fort and killed a corporal in the garrison—"the only life lost, it is said, during the attack." Whichever side suffered the fatality, it is certain that the siege and defense of Fort Panmure, from April 22nd to the 29th, were far from being bloody or desperate.

The fort was strong. Its earthern ramparts, eight or ten feet thick, were reinforced by a stockade of thick cypress timber. It is said also that the garrison was well supplied with provisions and ammunition and capable of sustaining a long siege. As the guns of the attacking party were too light to make much of an impression on the fort, the British resorted to strategy to carry it.

Although the greater part of the inhabitants of the Nachez

District were involved in the rebellion, there were some notable exceptions. Captain Alexander McIntosh, a wealthy and intelligent planter on the St. Catherine's, had been a stanch royalist in Georgia and at Natchez, but had prudently kept aloof from the uprising and was intimate and influential with the Spanish authorities. While the British force was investing Fort Panmure, with no probability of bringing the garrison to terms, Captain McIntosh sent a messenger to the Spanish commandant advising him that the revolt would soon cease. The messenger was intercepted and the letter captured by the besiegers. The British then called on one of their leaders, John Alston, who was an expert penman, and a letter was written to the commandant over the signature of Captain McIntosh warning him that further resistance was useless; that they had secretly undermined the fort, deposited in the underground passage a large supply of powder brought by Indian pack-horses from Pensacola, and that that very night (April 29th) had been fixed for the explosion. The messenger sent by Captain McIntosh was forced by threats of death to deliver the substitute letter. Coming apparently from such a friendly source, the Spanish commandant promptly threw out a white flag. He was allowed to surrender with his garrison, all taking an oath not to serve again against the British during the war. The prisoners then took up their march for Baton Rouge, escorted by Captain Winfree and a guard. The insurgents marched into Fort Panmure and the British flag was once more planted on its ramparts.

The escort with the captured garrison had scarcely reached Loftus Heights (Fort Adams) when a considerable Spanish force, accompanied by a large body of Indians, was seen ascending the river. The party proved to be a detachment of French militia with their red allies in Spanish service, commanded by Major Mulligan. Captain Winfree thereupon released the Spanish prisoners, who made their way to the boats of the rescuing party, and the British officer retreated toward Natchez. He halted at his own house near the Homochitto River to provision his men, taking no precautions against a surprise, as he supposed that the hostile expedition would proceed up the river. But on conferring with the officers who had been released by Captain Winfree, the Irish major, who commanded a force of about three hundred, decided to follow the British by land. Leaving only men enough

to conduct his barges to the White cliffs, afterward known as Ellis' cliffs, Major Mulligan pushed on after Winfree. Ascertaining through his scouts that the British force, wholly unsuspicious, was engaged in pounding corn and roasting beef at Captain Winfree's house, the Irish commander, with his French and Indian detachment, fell upon the unsuspecting men at daylight, killed fourteen and captured others.

In the meantime, Captain Winfree had dispatched a courier to Natchez warning the citizens of the approach of the Spanish expedition. So that when the additional news of the disaster at Winfree's reached them, a force of about two hundred vengeful and determined riflemen assembled, eager to confront the enemy. They were expert and brave and led by able officers. When the Spaniards had reached a point near the White Apple village, the residence of Colonel Hutchins, they ascertained the nature of the opposition which they might expect, and Major Mulligan retreated to White Cliffs, where he would be in communication with his boats and supplies. While an engagement still threatened, a courier rode up to the little British army from Pensacola and brought the appalling news that the great stronghold of West Florida had fallen before Galvez.

The revolt instantly collapsed and its leaders became distressed fugitives, fearing that their punishment would be severe. Left alone in a hostile continent, with no friends nearer than Savannah unless the Choctaws remained faithful, a number of them scattered in dismay while others calmly accepted the situation.

Mulligan occupied Fort Panmure and his men ravaged the district. For thirty days plundering parties roamed through the country, seizing property and destroying residences. When Colonel Grand Pré arrived at Fort Panmure as governor of the Natchez District, on July 29, 1781, what arrests, seizures and confiscations were made came under the head of lawful proceedings against "fugitive rebels." The final disposition, as to their persons and property, was highly creditable to the wisdom and leniency of the Spanish authorities, and it is wholly true that nowhere in the lower Mississippi valley was Spanish rule harsh or cruel.

Claiborne and Wailes are leading authorities as to the final outcome of the judgments pronounced against the leaders who

participated in the revolt of 1781. From a mass of details presented by them, based largely upon the Spanish records of the Natchez District, the main facts of the story are sifted. A party of more than 100 of the fugitives, including some of the Lymans and the Dwights, struck into the wilderness, with a few packhorses and scanty stores, and made the trip to Savannah in about five months, amid terrible sufferings, but it is said without the loss of a single life. They were mainly from Massachusetts and Connecticut, though many had pioneered first to the Carolinas, where they remained a few years before removing to the Natchez country.

Colonel Hutchins, who like many others did not carry his family, hoping to return at a more peaceful hour, led a party which finally reached Savannah. From there he went to London, where he lived for several years. By the intercession of friends in New Orleans, including Captain McIntosh and William Panton, the great English merchant at Pensacola, he was permitted to return. During his absence his wife remained in possession of his property, with the exception of twelve negroes sent to New Orleans. Colonel Hutchins' extensive British grants were confirmed to his children and he became an influential American citizen.

The members of the Lyman and the Dwight families—both noted ones, the last including Timothy Dwight, president of Yale college—did not all return to the Natchez District though near relatives still remained in the Spanish territory. The leaders of the insurrection who had not fled were arrested, sent to New Orleans and imprisoned. Among these was Captain Blomart, styled in the proceedings had against his estate, the "chief of the rebels." It is believed he was sent to Spain for trial. Captain Winfree, George Alston, John Smith, Parker Carradine, William Eason and George Rapalje were also arrested while preparing for flight and sent prisoners to New Orleans. John Alston, Christian Bingaman, Thaddeus Lyman and others, all active in the revolt, escaped to the Cumberland settlements. All of these, including the prisoners sent to New Orleans, were ultimately pardoned and permitted to return, chiefly through the conciliatory policy of the Spanish governors and intercession of Panton, Leslie & Company, the wealthy southern traders.

Some of the insurgents joined with one Colbert, a Scotchman

whose family then and for many years afterward was famous among the Chickasaws. A number of this family married into the tribe and became chiefs. At the time of the revolt one of the most infamous of the Colberts had established himself, with his followers at Chickasaw bluffs, and received the British refugees as accessions to his band. The Colbert marauders became so formidable in their attacks upon passing boats that the Spanish governor granted amnesty to the British refugees if they would abandon the robber band and return to their homes in Natchez.

The Spanish authorities were equally lenient in dealing with the estates and properties of those who had revolted against their administration. All sales executed at the time the rebels were in possession of Fort Panmure were declared invalid. In the confiscation of the estates of Parker Carradine and John Smith, sent to New Orleans as rebel prisoners, the rights of their wives to a separate share in their estates were recognized, and such property was left in their possession. The families of all the refugees were regarded with indulgence, and the part of the property held by them was assigned for their support.

The large British grant to Lyman of twenty thousand acres was confiscated, but upon application to Grand Pré the sale of one-half of the tract was arrested, and it was transferred to Salome, the daughter of Thaddeus Lyman, who had been left destitute in the country with her grandfather, Waterman Crane.

One of the Alstons had escaped to a tribe of Indians, carrying with him the principal part of his negro property. On the death of the wife, which occurred shortly afterward, the Spanish commandant appointed Captain McIntosh the guardian of her children. The remainder of the Alston estate was left in the care of the guardian for the support of the children. Some fraudulent sales were also annulled by which the husband and father had disposed of a portion of the property to keep it out of the reach of the Spanish authorities.

Little criticism can be found with the manner in which the Spaniards dealt with the persons or possessions of those who had really committed an act of treason against their rule.

ADMINISTRATION OF DON BERNARDO DE GALVEZ

Galvez continued to act as governor of Louisiana and West Florida until 1786, and during his administration the following

acted as military and civil commandants of the Natchez District. Carlos de Grand Pré, Esteban Miró, Piedro Piernas, Francis Collell, Philip Treviño, Francis Bouligny, Carlos de Grand Pré (second term), Manuel Gayoso de Lemos and Stephen Minor. The government of Louisiana to which the Natchez District, and country far to the north were directly responsible, comprised the governor general, with civil and military powers; the intendant, who looked after the revenues, navy and commerce; the comptroller, auditor and other officials. In contested cases or questions, the order of appeals from the district authorities was to the government of Louisiana, the captain general of Cuba, the royal audiencia in St. Domingo and the Council of the Indies, sitting at Madrid.

The commandant in each district of Louisiana, such as Natchez or Mobile, was supreme in military and political matters, governing the soldiers, appointing the inferior judges (alcaldes) and himself supreme judge, notary and custodian of deeds and records. There were no taxes except customs duties, but repairs of roads could be compelled. The governor and record-keeper received fees—fifty cents per signature and half as much again per flourish which tends to account for the number of notices, decrees, certificates, and so forth, in the records. Says Hamilton:

"We find the commandant exercising jurisdiction, often a very summary one, over almost every kind of dispute, including contract, attachment and damages, and are enabled to follow up the procedure on account of the convenient practice of writing out even the original papers, 'in continuance' on consecutive sheets. Where a petition requires notice the commandant's order, therefore, comes next after the petition; then the notary, or later two official witnesses, gives notice and certifies that fact. At the trial the testimony is taken down in writing under oath, and the decrees and subsequent proceedings follow in order—all these papers being stitched together and preserved as archives."

Lawyers were not present in the American sense, but clerks or notaries aided the parties in their petitions where the cases were not *viva voce*. Criminal cases were tried before the same courts as civil, perhaps with official defending counsel. On giving security for costs, appeal lay to the supreme tribunal at New Orleans, thence to Santiago de Cuba and thence to Spain. In criminal cases the appeal was only in capital offences and, from

the expense, practically did not exist. Punishment was mild, generally a fine or stocks, and serious crimes were rare. The alcalde, like the American justice of the peace, heard civil and criminal cases summarily and without written proceedings. His jurisdiction was limited to complaints in which the matter in dispute did not exceed twenty dollars.

Outside the Natchez and Baton Rouge districts the population of Louisiana was mainly French and some German settlements. Trade was in the hands of the French merchants under the royal schedule of January 22, 1782, which allowed the colonists to supply their wants from France and its colonies. French was the language of the Province, except among the officials and the courts. The attempt to establish Spanish schools even at New Orleans was a failure. The Natchez District records were written in Spanish, French and English. In general, the conditions described may be said to have existed during the administration of Galvez as governor general.

CONFLICTING TERRITORIAL CLAIMS

In 1782 the treaty of peace between the United States and Great Britain named the southern boundary of the American possessions as the parallel of thirty-one degrees. Spain, however, refused to be bound by that arrangement and first claimed by the conquest of British West Florida at least the territory northward to the mouth of the Yazoo and at the subsequent date beyond Chickasaw bluffs (Memphis). In 1785 he Spanish commissioner appointed to negotiate the boundary placed the matter before the American government in these words:

"The king will not permit any nation to navigate between the two banks (of the Mississippi River) belonging to His Majesty, from the extent of his conquests made by his royal arms over the English in East and West Florida, according to the dominion formerly held by the English and the jurisdiction exercised by the commandant of Pensacola on which it depended, as well as the countries east of the Mississippi, of which formal possession was taken by Captain Don Baltazar de Villers, commandant of the post of Arkanzar, for his Majesty (November 22, 1780).

"His Majesty does not consider the regulation made between the United States and Great Britain respecting the territories conquered by his arms, but as a conditional agreement in which

they tacitly leave safe the territorial rights which he possessed in those parts. Those territories were in that same state of conquest and in possession neither of England nor of the United States when they disposed of them. There can be no doubt but that the treaty of 30th of November, 1782, when the war between Spain and England was in continuance, could not fix the limits of countries which were not in possession. His Majesty, therefore, understands these stipulations as conditional and dependent on the situation in which things might be left by a general peace."

INTRODUCTION OF ESTEBAN MIRÓ

In September, 1782, Don Esteban Miró, governor general of Louisiana ad interim while Galvez was taking possession of the Bahamas, was sent to Natchez as civil and military commandant. He was succeeded in the latter office during the following November by Don Pedro Piernas. In 1786 Miró succeeded Galvez as governor-general of Louisiana, the latter having been promoted to governor-general of Cuba. He was later promoted to the position of viceroy of Mexico to succeed his father.

Miró was prominent for his success in binding the southern Indian nations to Spain and for his activity in encouraging the separation of the western country from the United States. He was popular in the West of his day, as was evident from the fact that a Cumberland River region was named the Miró District in his honor. At the conclusion of his term as governor-general, in 1791, he sailed for Spain and subsequently rose to a high military rank.

COMMANDANTS OF THE NATCHEZ DISTRICT

Piernas served less than a year as the military and civil head of the Natchez District and in June, 1783, was succeeded by Francis Collell, a captain in the Fort Panmure garrison. In the following August Don Philip Treviño, lieutenant colonel of the Regiment of Louisiana, was appointed in his place.

During these years though under Spanish rule, the English-speaking population increased steadily through births and by frequent additions from the American States to the north. Later to some extent the Spanish and French were absorbed by the English strain, but not at that period. The immigration to the Natchez District, then the most populous region of the old Louisi-

ana with the exception of New Orleans, after the American colonies had gained their independence from England ceased to be of the Tory class, the new influx being patriots, subjects of the New Republic, who came with their families to acquire wealth on the rich valley lands which they believed would soon pass into the keeping of the United States, to which they felt the American government had acquired a just claim. But come for what motive they may, they were of the better class, men of good breeding, social position and wealth, unlike the great body of poor whites who went over the Alleghanies to better their condition both socially and materially. But the new settlers did not come to a wilderness. The high class Spanish official had much in his manner and address that well might be copied by the more stolid, inartistic Anglo-Saxon. In the matters of courtesy, refinement and the varied accomplishments of the day the commandants and governors-general of the Louisiana-Mississippi country were qualified to decide much of the etiquette of the day, including many of the amenities of life.

In the matter of religious worship, the Spanish policy of prohibiting its subjects from publicly worshipping according to their own faiths and creeds could not be set down as "religious freedom and tolerance." But while there was a law prohibiting the establishment of Protestant churches, there was at the same time in religious matters less actual persecution and proselytism than had existed in the American colonies to the north. Freedom of conscience was extended to all settlers. Here there was no proscription; nor was any civil distinction whatever made. Historians all agree that the administration of public affairs was conducive of much individual and community progress along material lines. In view of the fact that the inhabitants were almost entirely of the Protestant faith—strong and influential besides—it might be attributed to Spain's helplessness in the matter that she instituted such a mild regime for her English subjects, paradoxical in contemplation of her usual inquisitorial spirit. Be it as it may, both races were in the midst of a watching and waiting game, the English too much absorbed in acquiring wealth to concern themselves very much about either the customs or rituals of their Catholic friends. In their own religious matters, with the exception of some slight resistance, the people made no concerted insurgency against the government nor the people be-

cause of the prohibition of their own forms of worship in a public manner, but continued in the privacy of their homes to conduct services, baptize their children (either by confirmation or immersion), and read the Bible.

Thus we see that largely left to themselves the English in the Natchez country continued to thrive and apply their own methods, manners and customs to their private and social affairs.

Many distinguished citizens, disappointed with the outlook in the older communities, sought this southern valley. Even as far back as 1773 William Dunbar, a highly educated young Scotchman of a titled family, selected a tract of land near New Richmond (Baton Rouge) which he decided to make his home as a planter. He visited Pensacola to obtain a grant of land from Governor Chester, sailed to Jamaica to buy the necessary number of slaves and, with them, returned to his new home by way of the Louisiana lakes and the Amite River. He experimented with indigo, which the British government recommended the colonists to produce, but found the manufacture of staves for the West India market more profitable. Some of his most valuable slaves were lost to him through an insurrection; his home was plundered by the Willing soldiery in 1778 and again in 1779 by the troops of Galvez.

After the treaty of 1783, desiring to be in American territory, Mr. Dunbar—frequently referred to as Sir William Dunbar—moved to a plantation nine miles south of Natchez and four miles east of the Mississippi River, where he built his home, "The Forest," already referred to, which was his residence during the remainder of his life. In the Natchez district he was a cultivator of cotton and indigo and one of the first to see the possibilities of the former. Under the Spanish government he held for some years the office of surveyor. He was a loyal supporter of the laws of the government maintained, whether British, Spanish or American. As a citizen of Mississippi territory he was recognized throughout the United States as one of its leading men of science.

SPANISH LAND GRANTS

It was not until the 20th of April, 1784, that the first order of survey for lands in the Natchez district was issued to Surveyor General Don Carlos Trudeau. Lands were obtained with

little difficulty or expense. The immigrant made his selection of any unoccupied parcel and presented a written request for an order of survey. If no obstacle intervened the Governor issued the order and on the return of the plat and the payment of very moderate fees for surveying, the grant was issued. Many settled under the order of survey, if the survey could not immediately be made. The order of survey was issued by the Governor to the surveyor general, who directed the survey to be made by the deputy surveyor of the district. The survey being approved and returned, accompanied by a plat, the Governor granted his patent; the usual fees being paid in all the stages of the process by the grantee. William Vousdan was at one time the surveyor for the district of Natchez and was succeeded by William Dunbar.

In his private journal, which he kept for many years, William Dunbar, who was reared in the strict discipline of the Scottish church, notes no interference with the rights of conscience and testifies to the impartial administration of justice. "British property," he writes, "is in perfect security. An Englishman may come here and recover his debts, and obtain justice as soon as in Westminster Hall." Further: "The prudent and circumspect had nothing to fear from the government; it depended upon themselves to render a residence in the country agreeable." The execution of the laws was summary, but in the main just. The fraudulent who attempted to take away their effects, or to abscond to avoid their creditors, were promptly dealt with. The property of such was seized, appraised by neighbors appointed for the purpose, was sold after proper notice, and the proceeds were distributed *pro rata* on the spot to the creditors.

Most of the matters involved in dispute, such as the settlement of accounts or other claims, were adjudicated and settled on a petition to the commandant by arbitrators appointed by him; and the Spanish archives show that the men of the highest standing and the greatest probity in the country were usually employed in the settlement of these disputes. On more than one occasion the government interposed to protect the debtors from their too importunate foreign creditors by procuring further indulgence at times when the embarrassments of the inhabitants had become general and the consequence of some transient cause. But in these cases an inventory of the property of the debtor was furnished on oath and it was regarded as pledged for the debts.

It had the effect of a judgment, and the property was subject to sale on failure to meet the debt at the stipulated time.

THE NATCHEZ DISTRICT IN 1785

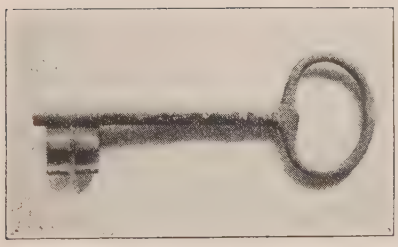
By the census of 1785 it was found that the population of Louisiana had greatly increased. The Natchez District was far in advance of the other administrative divisions of the province. Natchez had a population of 1,550; Mobile, of 746; Baton Rouge, of 270, and Manchac, of 77. A garrison of sixty soldiers was maintained at Fort Panmure, at an annual expense to the Spanish crown of $6,500.

ADMINISTRATIVE CHANGES

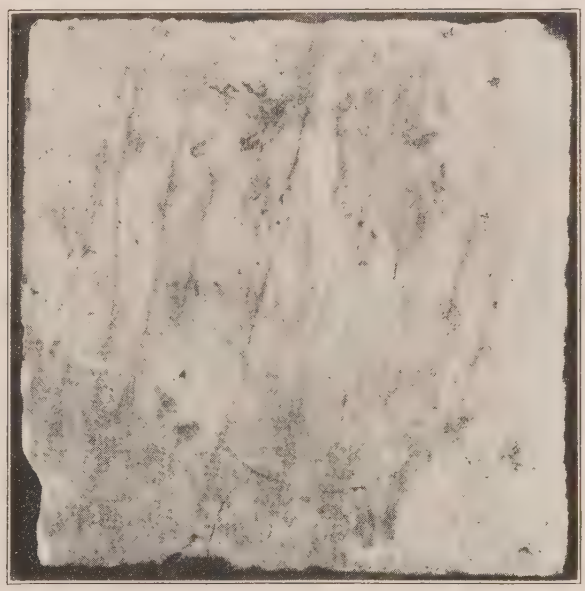
Bernardo de Galvez, a brilliant military leader and a man of much charm and grace both in manners and qualities of mind and heart, closed his connection with Louisiana and the Natchez District in 1786. Previously he had been promoted to another and higher position in the Spanish possessions. In succeeding his father later as viceroy of Mexico, or New Spain, he was clothed with the highest Spanish dignity in North America. His successor, Col. Esteban Miró, was in June, 1786, commissioned governor, civil and military, of Louisiana and West Florida. Galvez' administration in Mexico was a brilliant revival of the magnificence of Cortez, minus the cruelty of the conqueror of the land. Public works were advanced and he built and fortified a palace at Chapultepec of such massiveness that his enemies charged that he aimed at independence of Spanish rule. It is said that these charges drove him into melancholy, from which he sought diversion so fiercely in the chase that he died of over-exertion on November 3, 1794. Gayarré—whose gorgeous metaphor, while it drips with rich color, always clothes the facts of history—says that the wife of the gallant Spanish Governor was a native of Louisiana, of surpassing loveliness, and as charitable, gracious and intelligent, as she was beautiful.

In October, 1785, Colonel Francis Bouligny, of the Creole Regiment, or Regiment of Louisiana, became commandant at Natchez, and in March of the following year was succeeded by Don Carlos de Grand Pré, who resumed that office and filled it until 1792.

"CONCORD", THE HOME OF THE SPANISH GOVERNORS
Built 1789, Burned 1900



KEY OF "CONCORD"



A MARBLE SQUARE FROM THE FLOOR OF "CONCORD"

RELATIONS WITH THE BRITISH

While the British held West Florida, the people of the Natchez District had purchased many slaves from the Jamaica merchants, usually on a credit of a year, and, on the change of government, agents were sent over to collect these debts. Governor Miró found it necessary to grant a stay of proceedings in order to protect the planting interests of this section. The planter exhibited on oath a full inventory of his property. It was duly appraised and the whole being recorded on the books of a notary was held as a mortgage until the debt could be paid out of his crops. British subjects were allowed two years longer to dispose of their property, before it reverted to the Spanish crown, and had the privilege of remaining permanently on taking the oath of allegiance to his Catholic Majesty.

NATCHEZ DISTRICT CLAIMED AS A GEORGIA COUNTY

At the time that Governor Miró was endeavoring to protect the Louisiana planters against their British creditors the Natchez District was threatened with political absorption by the American colony of Georgia, which claimed the extension of its territory west to the Mississippi. On February 7, 1785, its legislature passed an act establishing Bourbon County and defining its boundaries as follows:

"Beginning at the mouth of the Yazous where it empties into the Mississippi River, thence by a line to be drawn along the middle of said river until it shall intersect the northernmost part of the 31st degree of north latitude; thence by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees north of the equator as far as the lands reach which, in that district, have at any time been relinquished by the Indians; thence along the line of said relinquishment to the said river Yazous; thence down said river to the beginning; and the said county shall comprehend all the lands and waters within the said description."

The act provided that when a land office should be opened preference should be given to citizens of the United States, or subjects of any power friendly to the United States during the Revolution, provided such claimants were the actual cultivators of the claim. The price of the land should not exceed 25 cents per acre. The

justices authorized to administer the oath of allegiance to the government of Georgia were Thomas Green, Cato West, Tacitus Gilliard, Sutton Banks, Nicholas Long, William Davenport, Nathaniel Christmas, William McIntosh, Benjamin Farrar, Thomas M. Green, William Anderson, John Ellis and Adam Bingaman. Abner Green was named as register of probate. The list of officers includes some of the former royalists as well as Revolutionary soldiers.

The Greens and Cato West appear to have been most prominently identified with the attempt to incorporate this portion of the lower Mississippi valley into Georgia territory. The prime leader was Colonel Thomas Green. With his two sons and his son-in-law, Cato West, all Virginians who had settled in Georgia, he set out in 1782 to join the Kentucky settlements and assist General George Rogers Clark in extending the domain of Virginia to the Mississippi River. The colony of which his family was a part followed the usual route over the mountains to the Holston River, where they built boats and descended the Tennessee to the Ohio. Being unable to ascend that river to join General Clark they changed their plans, came down the Ohio and the Mississippi rivers and secured grants of land from the Spanish government in what is now Jefferson County, then under the jurisdiction of the commandant at Natchez. Colonel Green was granted one hundred acres of land near Fort Panmure on September 1, 1782, and in the following year Georgia passed an act claiming that her southern boundary was the extension of the 31st parallel of north latitude to the Mississippi. He appears to have been given authority as commissioner of Georgia to demand of the Governor of Louisiana the surrender of the region north of that line. Upon making such a demand he was arrested and sent to New Orleans. His property was confiscated, his wife died and soon after his release, in June, 1784, he was allowed to place his estate in care of his sons, Thomas Marston and Abner Green, and his son-in-law, Cato West. He then returned to Georgia and secured the passage of the act creating Bourbon County. In February, 1788, Georgia ceded all her western lands beyond the Chattahoochee River to the United States, and repealed the act creating the county of Bourbon.

Colonel Green, his two sons, Thomas M. and Abner, and his son-in-law, Cato West, eventually held large tracts of land in the

region of Cole's Creek, northeast of Natchez. They also became prominent in the public affairs of the territory, especially in its transition from Spanish to American rule. Colonel Green's sister married the father of General Green Clay and was the grandmother of Cassius M. Clay, the noted Kentuckian. Abner Green, one of his sons, married a daughter of Colonel Anthony Hutchins, and served as territorial treasurer. Thomas M. Green was a delegate to congress from Mississippi territory and Cato West served as secretary and acting governor. The Green-West-Hutchins combination, brought about by relationship and a coöperation of unusual talents, at one time almost controlled the politics of the territory.

ANDREW JACKSON IN THE NATCHEZ DISTRICT

When Andrew Jackson was a very young man and had studied law he was appointed solicitor of the western district of North Carolina (Tennessee). About this time, or soon after, he, with a partner, came down to the Natchez District and opened a small store, or trading station, at Bruinsburg, near the mouth of the Bayou Pierre, Claiborne County. At this point he received negroes purchased by his partner at Nashville, and sold them to the planters in the neighborhood. Sometimes when prices were higher or sales quicker he carried the slaves to Louisiana.

Among Jackson's customers in the Natchez District were Thomas M. and Abner Green, with whom his relations were both of a social and business nature. When at Nashville Jackson made his home for a time at a boarding house at which were Lewis Robards, a young Virginian, and his young wife, Rachel. The husband becoming jealous of young Jackson, applied for a divorce and abandoned his wife. It was arranged by her mother, Mrs. Donaldson, that she should go to Natchez as a member of a party going down the river in 1790. For more than fifteen months Mrs. Robards was entertained at the home of Thomas M. Green, near the town of old Greenville, until she had been granted —Sparks records in his Memoirs—"a divorce by the Spanish government." In 1791 Jackson came down to Natchez and was married to Rachel Robards by Colonel Thomas Green, acting as a magistrate. A formal decree of divorce was afterward granted by the Supreme Court of Kentucky (which had been authorized by the Virginia Legislature to try the case) and in 1794 Jackson

and his wife had another marriage ceremony performed. The Green home where Andrew Jackson was married is still standing and is occupied by a descendant of Thomas Green.

ADMINISTRATION OF ESTEBAN MIRÓ

On the second of June, 1786, Esteban Miró issued his inaugural address setting forth his powers and the program of his administration. Soon afterward he published several regulations for the preservation of order and religious decorum in the province, together with various police regulations for the government of New Orleans. Among these were ordinances prohibiting concubinage and incontinence as a livelihood, and providing for the enforcement of the laws for the suppression of gambling and duelling and the wearing of dirks, pistols and concealed weapons. Monette says:

"Under his wise administration, the province continued to enjoy a high degree of prosperity; population and commerce increased; the river trade with Upper Louisiana and the settlements upon the Ohio and its tributaries had become active, and the Spanish dominion upon the Mississippi appeared to be increasing continually in importance and power. In the meantime, the serious attention of the Spanish authorities was attracted to the growing power of the United States, whose western settlements were coming in collision with those of Louisiana and Florida."

The Georgia claims on Spanish-occupied territory in the lower Mississippi valley had been referred to the Federal government for amicable negotiation and settlement. That affair was more a matter of international fencing and combat, but the invasion of the West down the Mississippi valley was very real and personal and called for radical treatment. For several years the difficulty was not met by Spain with her usual conciliatory wisdom. Instead of coöperating with the farmers and tradesmen of upper Louisiana as furnishers of products and goods which were needed by the settlers of the lower Mississippi Valley and the foreign trade, the Spanish authorities endeavored in every way to make the increasing prosperity of the West a source of royal revenue.

WESTERN DEMANDS FOR A FREE MISSISSIPPI

The causes which brought the free navigation of the Mississippi into the front rank of the practical problems which threat-

ened the peaceful relations of the United States with Spain and strained the bonds of the Union itself, are clearly presented by John W. Monette in his *History of the Valley of the Mississippi*:

"The western people were multiplying rapidly and their surplus products adapted to the Louisiana trade continued to increase astonishingly and forced their way down the Mississippi. The river duties which by them were deemed oppressive and unjust were collected and extorted by the officials of Louisiana, supported by military force. The western people believed these duties exorbitant, and the many restrictions which were imposed, oppressive and unjust toward those who possessed a natural right to navigate the river free of all such impositions. Under these impressions, it is not strange that many of the sturdy Republicans should resist these exactions and disregard the attempts of the Spanish authorities to enforce them. In this manner it frequently happened that persons were seized, fined and imprisoned, with other vexatious delays and expenses; and sometimes their cargoes were confiscated as contraband, or forfeited, and the owners or supercargoes were discharged, penniless, to find their way home.

"Repeated occurrences of this kind in the lapse of two years, from 1785 to 1787, had greatly incensed the western people and disseminated a general feeling of revenge throughout the whole Ohio region, from the sources of the Monongahela to those of the Tennessee and Cumberland rivers. To such an extent had this vindictive feeling been carried in Kentucky and upon the Cumberland River that a military invasion of Louisiana was devised for redressing the wrongs of the western people and seizing the port of New Orleans; provided the Federal government failed to obtain from Spain, by negotiation, such commercial privileges in Louisiana as were indispensable to the prosperity of the western people.

"Such had been the excitement in Kentucky and Tennessee, as early as the spring of 1787, that the Spanish governor became seriously apprehensive of an invasion from Kentucky in defiance of the Federal authority. At the same time, the western people, indignant at the neglect of the Federal government in not securing for them the free use of the Mississippi, were strongly tempted to separate from the Atlantic states, and to secure for

themselves an independent form of government which would enable them to obtain from Spain, under one form or another, those commercial advantages which they were determined to possess."

COLONEL WILKINSON SUGGESTS SPANISH-WESTERN ALLIANCE

At the very outset of his administration, Governor Miró adopted the typical Spanish policy of conciliation. His first move in that direction was to grant to Colonel James Wilkinson a Kentucky merchant the right to introduce, duty free, many articles of western production adapted to the Louisiana market. The Governor also designed to avail himeslf of the popularity and talents of Colonel Wilkinson to allay the hostility of the people in Kentucky and Tennessee against the former Spanish policy of commercial exactions and oppressions. In the summer of 1787 the Kentucky merchant, at the request of Governor Miró, drew up a long document freely presenting the western position, which was transmitted to the king of Spain. The writer urges the natural right of the western people to follow the current of rivers flowing through their country to the sea. He represented it as a fact, because of the tardiness of the Federal government to secure for them the free navigation of the Mississippi, so necessary to their continued prosperity, that they were upon the point of separating themselves from the Union. Colonel Wilkinson also played upon the fears of Spain, assuring the governor that in case the West separated from the Union Great Britain stood ready with open arms to receive it. He pictured the united invasion of Louisiana by English and American forces and the navigation of the Mississippi controlled by them. To counteract these possibilities the obvious policy of Spain was to form an alliance with the West, the first step in their union of interests being the free navigation of the Mississippi.

In view of his subsequent service and advancement in national affairs, it has been greatly discussed as to whether or not Colonel (afterward General) Wilkinson was plotting to separate the West from the government of the United States. It was then believed that he was using all his abilities and finesse to bring about commercial relations with Spain which should not impede the expansion of the upper Mississippi valley. At all events he brought

the governor, with the other provincial officials and the King of Spain, to his way of thinking.

Governor Miró granted permission for Americans from Kentucky and the Cumberland region to immigrate to West Florida and establish themselves under the protection of Spain, with liberal grants of land. At the same time the intendant of Louisiana, with the approbation of the Governor and Don Diego Gardoqui, Spanish minister to the United States, relaxed the exactions of the revenue laws in favor of persons from those sections of the West. The Spanish minister was especially active in the encouragement of immigration, both in lower and upper Louisiana. "In 1788," says Gayarré, "Colonel Peter Brian Browin (Bruin) among others, with a number of families, provided with passports from Gardoqui, had arrived to settle in the district of Natchez."

In the same year an American settlement was formed in the Spanish territory of upper Louisiana on the west side of the Mississippi about seventy miles below the mouth of the Ohio River. It was laid out on a large scale and called New Madrid. For two years this policy of encouraging settlements of Americans and relaxing the revenue laws in favor of "westerners" continued. Then it is said that the Spanish minister discovered that the pecuniary advantages which he had expected did not materialize and he forced the intendant to the old-time methods of seizures, confiscations and imprisonments. But the reversion to the harsh methods was of short duration and the king ordered the resignation of the intendant and consolidated the duties of the latter official with the functions of the Governor.

From the year 1788 the settled policy of Spain, through her colonial and diplomatic representatives, was to form a commercial and political alliance with the western portion of the United States. Up to that time the Natchez District had shown a more rapid growth than either New Orleans or St. Louis, nearly three thousand people, white and black, having settled within it. The city of New Orleans had the greater population (over five thousand), but St. Louis had not yet reached twelve hundred.

Despite a destructive fire at New Orleans, trade between the western people and the lower Mississippi Valley rapidly increased. The surplus products of the settlements on the Monongahela, the Ohio, the Kentucky and Cumberland rivers consisted of flour,

pork, beef, whiskey, apples, cider, lumber, horses, cattle and many agricultural and manufactured products, which met with ready sale in New Orleans, as well as other points upon the river. An active trade in grain had likewise been opened with Philadelphia by sea. Capital was freely invested in raising those products most in demand in Louisiana and the Spanish provinces throughout the continent, as well as in the West Indies, and men of enterprise embarked their means in the navigation of the river and the extension of western commerce. For two years this state of amicable trade continued, and many of the tradesmen from the Ohio were so well pleased with the climate and agricultural possibilities of the lower Mississippi that they remained to cultivate tobacco, cotton and indigo.

But Spain had become jealous of the advance of the American Republic. It was regularly consolidated as a nation with the election of George Washington to the presidency in 1789. Soon afterward the Spanish authorities and the United States government were wrestling for alliance with the Creeks under McGillivray, and South Carolina and Georgia adventurers were forming companies for the sale of lands in the Yazoo region. Ostensibly they were based on Indian titles. These fraudulent schemes were finally suppressed through the authority of the United States government. But the free navigation of the Mississippi was a matter yet in abeyance.

KENTUCKY CROWDS OUT NATCHEZ TOBACCO

Colonel Wilkinson had prospered under the privileges accorded him and his associates. Although the arrangements made with him worked perhaps to the general advantage of the province they were harmful to the tobacco interests of the Natchez District. The cultivation of tobacco in that region had been found so successful and lucrative that it had become a leading industry of the province before the Kentuckian appeared. The king himself thought so well of it that he became the purchaser of all that passed inspection at the New Orleans warehouses. When the trade contract was made with Wilkinson, the king's patronage was withdrawn and Kentucky tobacco largely replaced the Natchez product. The cultivation of tobacco in that district therefore gave way to that of indigo; cotton, soon followed indigo.

NATCHEZ IN 1790

Major Samuel S. Foreman in a *Narrative of a Journey Down the Ohio and Mississippi in 1789-90* thus describes Natchez and vicinity as it was in the summer of 1790:

"When our little fleet of five boats first came in sight of the village of Natchez, it presented quite a formidable appearance, and caused a little alarm at the fort; the drum beat to arms, but the affright soon subsided. About this time, a report circulated that general somebody, I have forgotten his name, was in Kentucky raising troops destined against that country; but it all evaporated.

"Natchez was then a small place, with houses generally of a mean structure, built mostly on the low bank of the river, and on the hillside. The fort was on a handsome, commanding spot, on the elevated ground, from which was a most extensive view up the river, and over the surrounding country. The Governor's house was not far from the garrison. Uncle Forman had at first hired a large house, about half-way up the hill from the landing, where he lived until he bought a plantation of five hundred acres on the bank of St. Catherine's Creek, about four miles from Natchez. This he regarded as only a temporary abode, until he could become better acquainted with the country. The place had a small clearing and a log house on it, and he put up another log house to correspond with it, about fourteen feet apart, connecting them with boards, with a piazza in front of the whole. The usual term applied to such a structure was that it was 'two pens and a passage.' This connecting passage made a fine hall, and altogether gave it a good and comfortable appearance.

"Boards were scarce, and I do not remember of seeing any saw or grist-mills in the country. Uncle Forman had a horse-mill, something like a cider-mill, to grind corn for family use. In range with his dwelling he built a number of negro houses, some distance off on the bank of St. Catherine's Creek. It made quite a pretty street. The little creek was extremely convenient. The negroes the first year cleared a large field for tobacco, for the cultivation of that article was the object of Mr. Forman's migration to that country.

"* * * At Natchez we made many agreeable acquaintances, Governor Gayoso, a bachelor, was very affable and pleasant, and had an English education. The fort-major, Stephen

Minor, was a Jerseyman from Princeton, and Mr. Hutchins, a wealthy planter, was a brother to Thomas Hutchins, the geographer-general of the United States. His wife was a Conover, from near Freehold village, and knew more about Freehold than I did. Also a Mr. Moore, a wealthy planter, Mr. Bernard Lintot, who moved from Vermont before the war, and Mr. Ellis, a wealthy planter—all having large families, sons and daughters, very genteel and accomplished. These all lived from eight to fourteen miles from us.

"In the village of Natchez resided Monsier and Madam Masanteo—Spanish Jews, I think—who were the most kind and hospitable of people. These families, in town and country, formed our principal associates. Governor Gayoso told us, after we moved out to St. Catherine, that there would always be a plate for us at his table."

FORT NOGALES

Governor Miró continued to extend the Spanish authority north of the Natchez District on both sides of the river. In 1790 Grand Pré, the commandant at Fort Panmure, made a treaty with the Choctaws by which the British district line was confirmed and land granted for the building of fortifications on Walnut Hills, called by the Spanish, Nogales. The construction of Fort Nogales was in progress in May, 1791, when Major David Smith was in the locality. He described the site as a mile and a half below the mouth of the Yazoo on a high bluff. Old Fort Nogales stood about a mile and a quarter north of the present court house, in Vicksburg, and is still locally known as Fort Hill.

The year 1791 closed the administration of Governor Miró in Louisiana. In October of the previous year he had written the following to his home government, asking a place in the department of the Indies, Spain:

"I have now had the honor of serving the king, always with distinguished zeal, for thirty years and three months, of which, twenty-one years and eight months in America." He was a native of Catalonia, Spain; his wife was a Macarty of New Orleans. Judge Francois X. Martin wrote of him that though he was not brilliant, like Galvez, he had sound judgment, a high sense of honor and an excellent heart, uniting suavity of temper with

energy, was remarkable for strict morality, had a fair college education and was master of several languages. He sailed for Spain in 1791, "where he continued his military career, and from the rank of brigadier general rose to that of *mariscal de campo*, or lieutenant general."

ADMINISTRATION OF CARONDELET

Francois Louis Hector, Baron de Carondelet succeeded Don Esteban Miró as Governor and intendant of the provinces of Louisiana and West Florida, on December 30, 1791. He had been transferred from the government of San Salvador, province of Guatemala.

In July, 1792, Manuel Gayoso de Lemos succeeded Grand Pré as commandant and Governor of the Natchez district, and continued in that office until promoted to governor general of the provinces of Louisiana and West Florida, in succession to Carondelet. At the time Gayoso was sent to Natchez he was lieutenant colonel of the Louisiana regiment.

The earlier period of Carondelet's administration was agitated by continual intrigue and apprehension, and the later portion, even after Spain had relinquished her claims north of the 31st parallel of latitude and conceded the free navigation of the Mississippi, was largely occupied with the efforts of the Spanish authorities to delay the relinquishment of the territory which they had occupied above the treaty line of demarkation. Genet, the minister of the French republic had his emissaries in Louisiana in the western country and among the Creek warriors, and was endeavoring to form an alliance for the purpose of repossessing the lower Mississippi Valley in the name of France. France and Spain were at war, and there were also rumors of a projected English invasion from Canada.

Under the threatening circumstances, Governor Carondelet at once took steps to place Louisiana in an improved state of defense. Two new forts were built to defend New Orleans, and other forts on the river, both above and below the capital, were strengthened. The five or six thousand men constituting the militia of the province were also organized and trained and made ready for instant service. The forts at Natchez, Walnut Hills (Nogales) and New Madrid were reinforced.

A treaty was concluded with the Chickasaws by which they

became allies of Spain and which also granted the Spanish authorities a site near the mouth of the Margot, or Wolf River, for the erection of a fort. The treaty was conducted by Commandant Gayoso, of the Natchez District, upon orders from Governor Carondelet. The Chickasaws ceded the "fourth bluff," upon which to erect a fort "for the purpose of protecting Louisiana from any invasion which might proceed from the United States." In June, 1795, Carondelet reported to his superiors that "the strong fort at the post of Echore Margot, defended by eight pieces of eight-pounder cannon, was completed on the 31st of May, 1795, when the Spanish flag was hoisted and saluted by repeated discharges of cannon from the shore as well as from the galleys in the river."

The Spanish authorities occupied the new fort (Prudhomme) at the Chickasaw Bluff about five months before the signing of the treaty of San Lorenzo el Real, which fixed the 31st degree of north latitude as the division between the possessions of Spain and the United States; guaranteed the free navigation of the Mississippi from its source to the ocean, with the right of deposit in the port of New Orleans, and free export therefrom, for a period of three years. Within six months from the ratification of the treaty (October 27, 1795) Spain and the United States agreed to withdraw from the territory not claimed by the treaty, and within the same period commissioners and surveyors were to meet at Natchez to determine the boundaries between the Spanish and American possessions and formally arrange for the evacuation.

SPANISH-WESTERN CONSPIRACY FAILS

While negotiations were under way at Madrid for the settlement of the main contentions between the United States and Spain—the free navigation of the Mississippi and the southern demarkation between the Spanish and American possessions—Governor Carondelet was endeavoring to keep alive the dissatisfaction of the West at the slow progress of adjustment. Early in the year 1795, relieved from the apprehension of danger from a French and Kentucky invasion of Louisiana and, believing that the whisky rebellion in western Pennsylvania and the threats of defiance of Federal authority in Kentucky, presaged a downfall of the American Republic, Carondelet redoubled his efforts

to create a political breach between the East and the West. The Governor selected as his principal agent to Kentucky, Thomas Power, an Englishman, who reported the conditions favorable for a western alliance. He sent his lieutenant governor, Gayoso, to build the fort at Chickasaw bluffs as one of the outer defenses of Louisiana.

Power accompanied the expedition to build the fort at the fourth bluff, and was delegated to bring together the four most prominent conspirators for the western separation and Spanish alliance, and Gayoso de Lemos, the commandant of the Natchez district and Carondelet's direct representative. The latter finally agreed to meet him at the Red Banks on the Ohio, the site of the present town of Henderson, Kentucky.

Power reached Kentucky on this mission in the same month that Thomas Pinckney arrived at Madrid to negotiate with Spain, but the mission to form a conspiracy of Kentucky leaders against the Federal government completely failed. The decisive victory of Anthony Wayne over the Indians of the Northwest, the establishment of Federal authority in western Pennsylvania and the evident founding of the Republic as a consolidated political union broke the backbone of western rebellion and only one of the Carondelet conspirators met Gayoso at Red Banks. Under the changed condition of national affairs the Spanish commandant declined to definitely negotiate with Judge Sebastian (the only one to keep his appointment), and induced him to continue his voyage to New Orleans and there confer with Carondelet in person. On the authority of Gayarré, "Sebastian and Power sailed together for Philadelphia, no doubt on a mission from the Spanish governor."

Although the treaty of San Lorenzo el Real was executed by Pinckney, the American envoy, and the Spanish Secretary of State, in October, 1795, it was not ratified by the United States Senate until March 3, 1796. During that period, as well as during all the negotiations leading to the survey of the international boundary and the occupancy of the territory relinquished by Spain to the United States, within the compass of his administration, Carondelet was conspiring with Power, Sebastian, Wilkinson and others to undermine the authority of the United States government in the West and form an alliance with that section for the advancement of Spanish Louisiana.

AMERICAN BOUNDARY COMMISSIONER ARRIVES

Under the terms of the treaty in May, 1796, President Washington appointed Andrew Ellicott as the commissioner in behalf of the United States to determine the boundary between the Spanish and American possessions. He was then over forty years of age and had been engaged in various boundary surveys between Pennsylvania and New York and of the District of Columbia; made the first accurate measurement of Niagara Falls, laid out the avenues of the future city of Washington and in 1792 was appointed surveyor general of the United States. In October, 1796, Mr. Ellicott left Pittsburg for his mission in the Natchez District and arrived, after many delays because of low water, ice and Spanish opposition, on the 23d of February, 1797.

Gayoso had been appointed the commissioner on the part of Spain. For the succeeding year there was an interesting battle of Spanish evasion against American directness. The leaders in this campaign were Ellicott and Gayoso.

Ellicott had been provided with a small military escort and with four boats. The latter included a barge with a comfortable cabin in which General Wilkinson had just ascended the river. At the mouth of the Ohio, where his progress was delayed by ice, Ellicott had met Philip Nolan, an adventurer among Indians, Spaniards and Americans, an associate and protege of Wilkinson, and erroneously thought by some to be the hero of Edward Everett Hale's *Man Without a Country.* Although Nolan appeared to be a man of no permanent connections or settled convictions he proved useful to Ellicott.

A short distance below Walnut Hills, Ellicott had been overtaken by an express sent after him in a light boat. Thereby a letter was sent to him by Governor Gayoso informing Ellicott that he was not prepared immediately to evacuate the posts for want of vessels, which were soon expected, and requesting him to leave his escort at the Bayou Pierre to prevent any unforeseen misunderstanding between the Spanish troops and those of the United States. Although the request was deemed unreasonable, Ellicott did as requested. At that point he met Colonel Peter Bryan Bruin, a Revolutionary officer and friend, who had resided there for a number of years and who gave the American commissioner much useful information as to the prevailing sentiment of the district. In order to be of further service, Colonel

Bruin repaired to Natchez incognito, as far as the Spaniards were concerned.

Although Ellicott acceded to the request of the Spanish governor, under protest, he took the precaution to see that his little escort raised the American flag at the mouth of Bayou Pierre, where he was awaiting developments. This historical event by which the United States flag was first unfurled in the Natchez District occurred on the evening of February 22, 1797, the birthday of George Washington and in the last fortnight of his administration as president.

Immediately after arriving at the Natchez landing, on the evening of February 24, 1797, the commissioner addressed a note to Gayoso, apprising him of his arrival and requesting him to state when it would be convenient for him to receive his credentials. On the same day the receipt of the note was acknowledged through Nicholas Vidal, secretary of the Governor, and after several verbal messages were exchanged a meeting was arranged at the government house on the afternoon of the 25th. The Governor being pressed to name a day when negotiations under the treaty should commence, appointed the 19th of the following month.

The party of Ellicott encamped at Natchez, exclusive of the escort left at Bayou Pierre, consisted of about thirty persons, generally armed with rifles and expert in the use of them; and the commissary was directed to procure privately as large a supply of ammunition as could be collected among their friends. He had ascertained that the prevailing sentiment of the district supported him as the representative of the United States.

ELLICOTT'S FIRST ASTRONOMICAL OBSERVATIONS

Three days after Ellicott's arrival (according to his own Journal) he located his camp upon an eminence within the limits of the present city of Natchez and about five hundred yards north of Fort Panmure, which was strongly fortified and occupied by a garrison of Spanish troops. At this point, not far from the present intersection of Wall and Jefferson streets, Monette records, he hoisted the flag of the United States. It had required eight years of war and diplomacy under Washington's unwavering and steadfast leadership to unfurl the Stars and Stripes at Detroit and Natchez. Ellicott soon commenced his astronomical

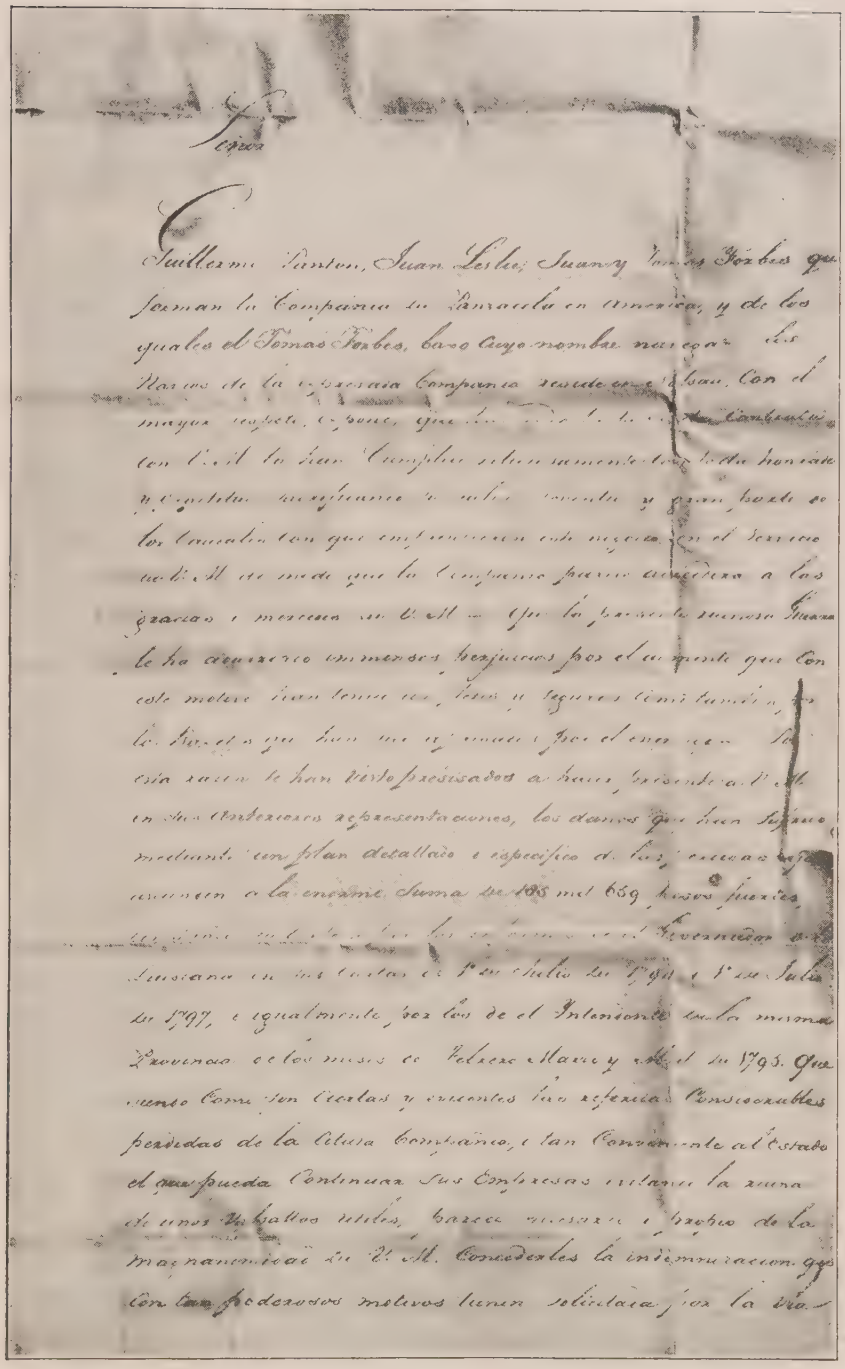
observations and found the latitude of his position to be 31° 33′ 46″ north, or about thirty-nine miles north of the intersection of the thirty-first parallel with the Mississippi River and the proper point for commencing the line of demarkation.

COMMENCEMENT OF SPANISH DELAYS

Gayoso informed Ellicott that although Governor General Carondelet had been notified of the coming of the American commissioner to assist in determining the international boundary, he (Carondelet) could not absent himself from his pressing duties at New Orleans and had delegated Gayoso as his representative in the matter. The lieutenant governor added that he was then unprepared to assume his duties in connection with the running of the line, but that the requisite instruments and surveyors were on their way from New Orleans to Loftus Heights or Fort Adams where he proposed to commence operations. The Spanish commandant, at the same time, objected to the landing of his military escort at Natchez, as calculated to make trouble with both the Indians and the garrison. Ellicott compromised the latter matter by having the escort strike camp at Bacon's Landing a short distance below Natchez, but he refused to be drawn from his headquarters at that point which had been named in the treaty as the place for the negotiations. The communications between Gayoso and Ellicott were conducted through Major Stephen Minor, a Pennsylvanian of fine character who had joined the fortunes of Galvez and Carondelet and advanced in rank with the Spanish army. He was then aide to Gayoso and afterward commandant at Natchez, as well as commissioner on the boundary line. In the final settlement of the problems of evacuation and occupation he was of invaluable service to the United States, as he had the confidence of both Spaniards and Americans.

SPANISH POSTS STRENGTHENED

While continuous delays were being placed in the way of the survey of the boundary, ostensible preparations had progressed for the evacuation of Fort Panmure. The artillery and military stores had, in fact, been placed upon the landing, as if for shipment. Suddenly, they were returned to the fort by night and the cannon remounted. Soon afterward the defenses both at Natchez and Walnut Hills were strengthened and the garrison at New



FACSIMILE OF A MEMORIAL TO THE KING OF SPAIN, DATED 1797

Orleans reinforced. Bitterness and insolence were also manifest against the soldiers and Americans generally at Natchez and Walnut Hills. Ellicott had good grounds for his expressed suspicions that the Spanish authorities were delaying evacuation of the country in every way short of actual resort to war.

ELLICOTT'S ESCORT STRENGTHENED

In the meantime, General Wayne had advanced the American army of occupation to Fort Massac, north of the lower Ohio in the Illinois country, there to await further orders. From this point toward the last of March Lieutenant Piercy S. Pope, with a detachment of forty men, was ordered to descend the Mississippi and to keep within supporting distance of Colonel Ellicott. The detachment from Fort Massac arrived at Walnut Hills early in April and found Major Minor awaiting Lieutenant Pope with a request from Gayoso that the farther advance of the American troops be delayed until preparations had been completed for the evacuation of the Spanish posts. On the 17th of April, Colonel Ellicott was first advised of the arrival of Lieutenant Pope at Walnut Hills, and he immediately dispatched a messenger requesting him to advance without delay. A week later the reinforcements under Lieutenant Pope arrived at Natchez and were escorted from the upper landing to the fortified camp of the American commissioner by the detachment already there under command of Lieutenant M'Leary. Again Gayoso tried to induce Ellicott, with his troops, woodsmen and riflemen, to transfer his camp to Loftus Heights, a dozen miles nearer the 31st degree of latitude. The American commissioner refused and emphasized his position by the voluntary enlistment of a number of citizens who supported his cause.

SPANISH EXCUSES FOR DELAY

Still the Spanish authorities delayed the evacuation of their posts based on a variety of pleas. One was that the treaty of Madrid did not specify the condition in which the posts were to be delivered—whether dismantled or with all their ordnance and stores. It was necessary to hear from the king on that point. Further, the treaty guaranteed no protection of property to the faithful subjects of the king who wished to retire beyond the jurisdiction of the United States. Gayoso issued several procla-

mations to that effect, arguing that the continued presence of the Spanish authorities was necessary in order to have such rights guaranteed to his people. A new cause for delay had also arisen in the death of General Anthony Wayne and the succession of General Wilkinson as commander-in-chief, whose early record would give them cause to believe that he might be friendly to their interests.

By the spring of 1797 the American element north of the proposed line of demarkation, which represented about four thousand inhabitants, extended to Bayou Pierre and eastward to the sources of that river, St. Catherine's and the Homochitto. Much of what is now southwestern Mississippi was included in the "American sphere of influence," and as the Spanish procrastination, which often was accompanied by perfidy, obviously became the settled policy, those who had hoped to be citizens of the United States were worked into a bitter opposition which only required some act of violence on either side to be fanned into open conflict. When Carondelet perceived that his policy was arousing a dangerous and widespread opposition, he assured the people that the terms of the treaty would be faithfully performed as soon as the danger of the threatened British invasion should have passed, and soon after Gayoso announced that he had received orders from the governor general to remove the artillery and military stores from the forts which were north of the line of demarkation. As these assurances were not followed by any decisive action tending to relinquish Spanish authority north of 31° the popular suspicion and excitement were intensified.

SPANIARDS RETREAT TO FORT PANMURE

The special incident which applied the torch to the racial excitement causing an instantaneous outburst something in the nature of a local revolution was a religious controversy, or rather a doctrinal dispute. On June 4th, 1797, an itinerant Baptist minister, with the permission of Gayoso, preached in Ellicott's camp and, on account of the novelty of a public Protestant service, as well as the support of a large anti-Catholic element, drew an unusually large congregation. Although at Ellicott's request the clergyman refrained from making all political allusions, on the following Friday he engaged some Irish Catholics in a con-

troversy over certain points in their faith, and the zeal of the dispute was somewhat heightened by stimulants. Soon afterward the minister, Hanna, made some demands upon the Spanish commandant in what he took as a peremptory and threatening manner. The latter immediately had the private American citizen jailed within the fort and his feet placed in stocks. The fact was one that stared the supporters of the United States in the face, and within a day all the Spanish officials and their families had retired to Fort Panmure where they remained as virtual prisoners for a fortnight.

Three days after the imprisonment of Hanna and the general uprising of Americans against Spanish authority Lieutenant Pope, with the approval of Ellicott, issued a proclamation to his "fellow citizens of the district of Natchez" engaging to protect them at a public meeting to be held at Benjamin Belk's house on the Nashville road eight miles from Natchez. They were to gather at that place to organize for whatever action should be determined upon. The lieutenant also called upon the citizens to assist him in repelling any reinforcements which should be sent to the Natchez garrison.

COMMITTEE OF PUBLIC SAFETY ORGANIZED

Then commenced a stream of communications which flowed between Gayoso, Ellicott and Pope, with proclamations representing the Spanish and American sides of the controversy and private meetings held by the principals at Captain Minor's plantation and elsewhere. As the Spanish officials had withdrawn to the fort, there was no legally authorized government in the district and, according to the American contention, it was necessary for the people themselves to assume control. The meeting held at Belk's on June 20th was largely attended and resulted in the selection of a Committee of Public Safety comprising Anthony Hutchins, Bernard Lintot, Isaac Gaillard, William Ratliff, Cato West, Joseph Bernard and Gabriel Benoist—to which Ellicott and Pope were added by unanimous vote. The committee was instructed to "make arrangements with the Governor for restoring peace and tranquillity; which arrangements should, as a greater security to the people, be ratified by the governor general, the Baron de Carondelet." The negotiations between the Committee of Safety, Gayoso and Carondelet were concluded three

days later (June 23d), and resulted in an agreement that two of the alcaldes should represent the committee and one of those officials should be commissioned by the Governor. The inhabitants of the district were to be neutral, "except in case of an Indian invasion or the suppression of riots during the present state of uncertainty, owing to the late treaty between the United States and His Catholic Majesty not being fully carried into effect." The two factions having compromised, in the words of *Ellicott's Journal*: "The Governor and his officers left the fort and returned to their houses. Thus ended this formidable tumult, without a single act of violence having been committed by the inhabitants of the country during suspension of the government and laws for a space of two weeks." The Committee of Public Safety, a temporary body, dissolved, having accomplished its aim, the restoration of public tranquillity.

PERMANENT COMMITTEE FORMED

On June 24th, the day after leaving the fort, Gayoso, at the request of Ellicott, issued a proclamation for the election of a Permanent Committee. The election took place in the early part of July and resulted in the choice of the following: Joseph Bernard, Peter B. Bruin, Daniel Clark, Gabriel Benoist, Philander Smith, Isaac Gaillard, Roger Dixon, William Ratliff and Frederick Kimball, four of whom had served on the former committee. The Permanent Committee at once divided into two factions, led respectively by Ellicott and Hutchins. Colonel Hutchins had been chairman of the Committee of Public Safety and was earnestly solicited to accept membership on the permanent body, but declined. He was more conservative than the Ellicott following, and his former standing as a British officer and supporter threw some unjustified doubts on his American patriotism.

GAYOSO COMMISSIONED GOVERNOR GENERAL

On the 26th of July, 1797, Gayoso received his commission as governor general of Louisiana and Florida and successor of Carondelet. Four days afterward he departed for New Orleans, having appointed Captain Minor temporary commandant of the fort and civil and military governor of the Natchez District.

THE END OF SPANISH RULE

During the autumn of 1797, for the health and comfort of his men, Colonel Ellicott moved his corps and escort to the banks of the St. Catherine, about seven miles northeast of Natchez, where he erected huts near a beautiful spring which gushes from the dells in the northern limits of the present town of Washington, and still bears the name of Ellicott. He remained at this encampment until the 27th of September, and during his stay made the survey and plat of the town of Washington for John Foster.

About this time, Colonel Grand Pré was reappointed to the office of lieutenant governor at Natchez, but his presence being unacceptable to the majority of the people, at the request of the Permanent Committee, Captain Minor continued to act in that capacity.

In the meantime, the commander-in-chief of the American army, General Wilkinson, had determined to hasten the evacuation of the forts in the territory acknowledged to be north of 31° by sending reinforcements down the Mississippi to Natchez. Before the close of December, 1797, Captain Isaac Guion, with another detachment, arrived at Natchez and assumed command. At first he criticised the radical measures of the Permanent Committee, although he did not give his support to the rival organization formed by Colonel Hutchins and styled the Committee of Safety and Correspondence. The moves of these rival bodies to secure the support both of the inhabitants of the district and of the Federal authorities at Washington are interesting as historical studies, and may be followed through many channels. The outcome was that both the Federal and military authorities lost their patience over Spanish delays and subterfuges and gave their support to Ellicott and his Permanent Committee.

Finally, on the 10th of January, 1798, nearly eleven months after his arrival, Ellicott received notice from the governor general that official instructions had been received from His Catholic Majesty for the surrender of the territory north of the treaty line of demarkation and the evacuation of the forts therein. The post at the mouth of Wolf River (Memphis) had been evacuated during the preceding autumn. Forts Nogales and Panmure were still garrisoned by the Spaniards. With the coming of March

the posts within the present State of Mississippi were yet occupied by Spanish garrisons. At length on the 23d of the month, when Captain Guion had almost determined to take the posts by assault, Fort Nogales was evacuated and the garrison descended the river to Natchez. The soldiers from Nogales retired into Fort Panmure and remained for six days longer, previous to its final evacuation.

Ellicott's Journal states that during that time the commander studiously concealed the time of his intended departure, while Captain Guion looked with impatience to the near approach of the first of April, which he declared should not witness the Spanish garrison in the fort. At length on the 29th of March, about midnight, the Spanish drums began to sound the note of preparation and at four o'clock the next morning, having previously sent the artillery, stores and baggage on board their boats and galleys, the troops marched out of the fort to the river bank. Colonel Ellicott, through a confidential channel, had been apprised of the contemplated evacuation. He therefore arose very early on the morning of the 30th of March. At four o'clock he walked toward the fort, which he approached just as the rear guard of the garrison was passing the gates. As they were left open, the American commissioner entered the fort and from the parapet he had the pleasure of witnessing the Spanish fleet leave the shore and get under way for New Orleans.

The complete surrender of the Spanish authorities to American jurisdiction north of the 31st degree had been determined by the collapse of their plan to detach the West from the American republic. Power had failed in his negotiations with Judge Sebastian and others and General Wilkinson had withdrawn from all dallying with Carondelet in that scheme, alleging that the westerners had secured all the rights for which they contended by international treaty, which he was bound by his military position to enforce.

SOUTHERN BOUNDARY AT LENGTH SURVEYED

Soon after the evacuation of Fort Panmure, Gayoso issued his orders from New Orleans as governor general directing the commissioners on the part of Spain, Captain Minor and Sir William Dunbar, to join the American commissioner in running the line of demarkation. The rendezvous was to be the Bayou Tunica,

six miles below Loftus Heights. Ellicott commenced his astronomical observations on the 6th of May; on the 21st he was joined by Captain Minor with a party of woodsmen and on the 26th by Dunbar. On the 21st of June Governor Gayoso, with his secretary and several Spanish officers, had joined the commission. The principal surveyors, under the commissioners, were Thomas Power, late emissary to the Ohio, for His Catholic Majesty, and Major Thomas Freeman, for the United States. Major Freeman was subsequently surveyor general for the United States south of Tennessee.

It was said by Dunbar in his report to the Spanish government that he set up his astronomical circle fifteen feet north of Ellicott's sector and made independent observations for several nights, from which he concluded that Ellicott had fixed the line too far north by six French feet. However, he disregarded the small difference and approved the starting point as fixed by his colleague. "From the point where the east and west line was established," continues the report, "a line was drawn due west by cutting a trace sixty feet wide, which was consequently a tangent to the parallel of latitude and was pushed on to the termination of the high grounds." At this time the annual inundation prevented any progress through the lowlands westward. When the waters had receded Dunbar proposed that the American commissioner should continue the survey eastward with his fifty white laborers, while he should push the line through the lowlands with his twenty-two negroes and white overseer, who were acclimated to the lowlands of the southern country. By the 17th the line had been extended to the river bank. At the distance of one and two miles square posts were erected surrounded by mounds, marking the 31st degree of north latitude, and eighty-eight feet from the river bank was set up a post ten feet high surrounded by a mound eight feet in height. On the south side of the monument marking the international boundary line was a crown with the letter R beneath, on the north U. S. and on the west side, fronting the Mississippi, Agosto 18th, 1798, 31 Lat. N.

At the conclusion of their labors, Ellicott returned to Pennsylvania to accept public service in connection with the land office, and Dunbar to his plantation below Natchez, "The Forest," where he and his wife passed their last years, the former engaged in numerous discoveries of a scientific nature.

A PERSONAL LINK BETWEEN SPAIN AND AMERICA

After the resignation of Dunbar, Captain Minor continued to act as principal Spanish commissioner. He subsequently purchased Gayoso's old plantation, "Concord," with its handsome dwelling house built partly of white stone and marble, and was for many years a rich and hospitable planter. Gov. Minor performed a noteworthy public service as a member of the boundary commission which ran the line between the United States and the Floridas in 1798-99. Captain Minor was a valued agent of Concord between the Spanish and American authorities, both during the period covering the trying ordeal of transfer and after the arrival of the first territorial officials in 1798. He had married into the prominent Ellis family of White Cliffs, Natchez District, and his descendants have been prominent in the State. His is a name well worth perpetuating in the lines which close the story of the Spanish administration of Mississippi and begin the account of its birth as an American commonwealth.

SPANISH CENSUS OF THE NATCHEZ DISTRICT, 1792

The list contains the names of heads of families only; women, children and slaves do not appear. The population of the district in 1782 was 4,690. The list was made from the Spanish Archives of the Indies. The spelling of names to a great extent follows the Spanish. The population, however, was almost entirely English, Scotch and Irish and represents a "Mississippi Colonial Society" to which many thousands of Mississippians could belong.

District of Big Black.
Tobias Brashears
Guillermo Cheney
Juan Stowers
Frederico Gunnels
Jorge Novres
Roberto Camell
Frederico Myer
Garet Rapalye
Isaac Rapalye
Santiago Repalye

District of Buffalo Creek.
Daniel Clark
Carlos Percey
Guillermo Collins
David Leyeune
Zacarias Smith
Pedro Smith
Zacarias Smith, Joven
Daniel Ogdon
Juan Lobellas
Thomas Lobellas
Edwardo Lobellas
Ebenezer Potter
David Johns
Antonio Daugherty

Guillermo Landerfield
Jeremias Lyons
Patricio Sullivan
Juan Bartley
Juan Alston
Enrique Roach[1]
Guillermo Alston
Jaime Smith
Guillermo Wilson
Lily White
Orange
Margarita Ross
Guillermo Colleman
Phelipe Luis Alston

District of Bayou Sara.

Francisco Pausset
Juan Wall
Andres Here
Reuben Dunman
Guillermo Brown
David Ross
Jaime Ryan
Juan Green
Juan Welton
Abram Hotton
Roberto Stark
Juan O'coner

District of Bayou Pierre

Guillermo Broccas
Gibson Clarke
Jaime Lobdal
Tomas Gobbard
Guillermo Young
Daniel Chambers
Jaime Finn
Tomas Farinton
Ephraim History
Reuben Proctor
Lucius Smith
Jere Smith
Ebenezer Smith
Juan Sluter
Ezekiel Hoskins
Seth Rundell
Moises Armstrong
Juan Wilkerson
Tormas Voice
Adwardo Trail
Elias Flowers
Jesus Randell
Samuel Gibson
Elias Smith
Reuben Price
Federico Stokman
Pedro Bruin
Benjamin Brashears
Edwardo Brashears
Watterman Crane
Daniel Miller
Guillermo Taybor
Isaac Five
Tomas Irvins
Carlos Hemell
Patricio Cogan
Juan Smith
Manuel Rice
Estavan Richards
Buker Pittman
Solomon Witley
Jacob Hartley
Juan Hartley
Jacabo Coyleman
Leonardo Price
David MacFarland
Tomas Smith
Pheby Goodwind
Ricardo Grims
Jacabo Piatte

1 Supposed husband of Elizabeth Roach, founder of the Elizabeth Female Academy near Natchez in 1818 for the higher education of young women.

Jaime Harman
Ezekiel Harman
Jese Dwet
Jaime Layton
Guillermo Howey
Jacaba Cobbun
Samuel Cobbun
Juan Burnet
Daniel Burnet
Tomas Beams
Jaime Deavenport
Guillermo Harkins
Ricardo Lord
Juan Routh
Paterico MacHeath
Estavan Cembrely
Juan Carrel
Guillermo Miller
Elizabeth Dervin
Benjamin Fooy
Juan Frasher
Isaac Fooy
Jaime Mather
Ana Humphrey
Jorge Humphrey
Juan Naylor
Pedro Serlot
Francisco Naylor
Juan Ivers
Guillermo Basset
Melling Wooley

District of Second and Sandy Creek.

Guillermo Alcheson
Pedro Surget
Pedro Presley
Jaime Sanders
Jese Carter
Jorge Aldrige
Abner Green
David Mitchell
Crestobal Gilbert
Jacobo Earheart
Juan Ellis el jovn
Juan Rapalye
Ricardo Ellis
David Gallermore
Anna Barket
Jonathan Masters
Nathaniel Tomlston
Juan Duesbery
Roberto Withers
Juan Bodin
Nehemiah Carter
Tomas Landphier
Samuel Phips
Samuel Cooper
David Kennedy
Cataline Cunningham
Nicolas Rob
Nicolas Rob el joven
Darius Anderson
Arche MacDuffe
Antonio Hutchins
Philander Smith
Calvin Smith
Jesse Greenfield
Arturo Cobb
Sara Holms
Guillermo Glascok
Estavan Minor
Isac Johnson
Juan MeFee
Guillermo Preston
Miguel Minorby
Juan Stout
Guillermo Chambers

District of Homochitto

Archwaldo Palmer
Ruffin Gray

Barney Higgins
Tomas Cummins
Patricio Foley
Jaime Nicholson
Landon Davis
Donaldo McCoy
Estavan Ambrose
Augusto Rodey
Enrique Nicholson
Mateo MacCullock
Enrique Phips
Benjamin Carrell
Jose Miller
Tomas Murray
Jose Dow
Isac Gaillard
David Swazay
Abraham Ellis
Nataniel Tomlston
Ana Savage
Jaime Kirk Gabriel Swezey
Job Corry
Ricardo Corry
Jeremias Corry
Nathan Swezy
Juan Lusk
Mordica Richards
Roberto Miller
Obediah Brown
David Lambert
Caleb King
Juan Chambers

District of Villa Gayoso

Parker Carradine
Archwald Robinson
Jaime Edward
Elizabeth Young
Abraam Green
Margarita Stampley
Federico Manedo
David Odam
Guillermo Falconer
Abraam Mays
Tomas Master Green
Guillermo Kirkland
Samuel Kirkland

District Second Sandy Creek.

Matee Jones Oja
Estavan Stephenson
Juan Newton
Jacobo Adams
Jaime Kelly
Isac Alexander
Joel Weed
Samuel Heady
Jacobo Miller
Jorge Holland
Tomas Martin
Guillermo Ratliff
Juan Paterson
Guillermo MacDougle
Tomas Nichols
Ebenezer Barrows
Juan Spires
Jaime Oglerby
Little Berry West

District Sandy and Second Creek

Guillermo West
Tomas Morgan
Guillermo Morgan
Juan Armsreit
Jaime Stewart
Juan Holladay
Joshua Howard
Bearly Pruet
Juan Ratliff
Jose Slater Bal
Guillermo Lee
Daniel Harrigal

Tomas Martin
Miguel Williams
Jaime Richardson
Jose Stockstill
Margarita Hifler
Pedro Nilson
Juan Craven
Juan Calvet
Thomas Foard
Jaime Cooper
Nataniel Butler
Guillermo Calvet
Elias Bonill
Guillermo Cooper
Juan Foard
Guillermo Fletcher
Benjamin Fletcher
Hugh Slater
Juan Ervin
Jaime Ervin
Samuel Cooper
Alexandro Farrow
Enrique Cooper
Jorge Bayly
Ephain Bates
Daniel MacGill
Benjamin Bullock
Benjamin Laneer
Benjamin Holmes
Roberto Abranns
Tomas Purling
Mateo White
Juan Cowel
Juan Ellis
Guillermo Dunbar

District of Villa Gayoso.

Francisco Spain
Jaime Spain
Alexandro Callender
Ephriam Coleman
Guillermo Clark
Redman Conely
Samuel Davis
Juan Stampley
Ricardo Curtes
Juan Smith
Tomas Calvet
Juan Andelton
Tomas Splun
Juan Rich
Juan Young
Jese Monson
Juan Garet
Narcisco Hunter
Isac Taylor
Juan Strabeker
Jose Dyson
Tomas Dyson
Enrique Hunter
Roberto Monson
Enrique Milburn
Juan Credy
Juan Cortney
Pedro Hill
Marcos Coil
Tomas Smil
Juan Jones
David Smith
Guillermo Farbanks
Juan Greeffin
Abel Easmin
Earl Marbel
Jorge Murray
Gabriel Greeffin
Juan Arden
Daniel Douglass
Archibald Douglass
Favid Douglass
Estavan Douglass
Ezekiel Newman

Isac Newman
David Greenlief
Prospero King
Guillermo Bishop
Recardo King
Justo King
Jese Hamelton
Denis Collins
Juan Clark
Lucia Clark
Jaime Clark
Jaime Kenty
Adam Lanhart
David Hellbrand
Jose Fowler
Guillermo Boveard
Maydelen Perry
Jonathan Ruker
Juan Crutheirs
Daniel Perry
Guillermo Beardman
Jacobo Shilling
Juan Martin
Nataniel Kennson
Miguel Guise
Jaime Hilonds
Benjamin Curtes
Ricardo Roddy
Adam Cloud
Mordica Frockmorton
Roberto Frockmorton
Guillermo Ferguson
Nataniel Brown
Guillermo Durch
Patricio McDermot
Juan Donaldson
Stewart Higginson
Juan Williams
Cato West
Josua Collins
Jaime Truly
Guillermo Burch
Guillermo Lum
Dibdal Holt
David Holt

District of Santa Catalina.

Le Veude Mulhollon
Cristian Bingham
Jonatha Perkins
La Vieuda Oilor
Roberto Cochran
Juan Rodriguez
Nataniel Tomlinton
Guillermo Smith
Philitus Smith

District of Villa Gayoso.

Guillermo Murrah
Margarita Routh
Jeremias Routh
Elias Routh
Job Routh
Roberto Wathe
Juan Ferry
Alexandro Grant
Estavan Scriber
Jose Scopkil
Jorge Dewange
Jose Green
Nathan Green
Littleberry Hust
Juan Holt
Guillermo Mathews
Guillermo Curtis
Carlos Simmons
Juan King
Juan Garkins
Carlos Colins
Samuel Foster
Patricio Sullivan
Jorge Jones

Juan Roberts
Jacobo Cable
Jasper Sinclair
Juan Anderson
Jorge Bainder
Jorge Stampley
Guillermo Patterson
Adam Beakly
Juan Hambeeling
Guillermo Hamberling
Estavan de Alva
Jorge Cleare
Enrique Platner
Jacobo Hufman
Clemente Dyson
Juan Dyson
Justo Humphreys
Andres Wadkins
Edmundo Johnson
Roberto Crayton
Tomas Daniels
Maria Shepman
Tomas Adams
Abraam Glason
Guillermo Adams
Enrique Green
Bernabe Isenhoot
Miguel Fake
Juan Fake
Jacobo Crumholf
Tomas Robeson
Roger Dixon
Jorge Forman
Guillermo Ervin
Jaime Johns
Juan Cole
Estavan Cole
Samuel Karr
Ismy Forman
Jaime Cole el viejo
Solomon Cole
Benjamin Still
Abner Marvill
Juan Zeines
Guillermo Cole
Jacobo Stampley
Jaime Cole el joven
Ricardo Harrison
Benito Truly
Groves Muris
Hugh Bell
Guillermo Thomas
Tarpley Bayly

District of Santa Catalina.

Guillermo Baker
Juan Odum
Jose Calvet
Maria Igdom
Benjamin Belk
Juan Willey
Estavan Haines
Juan Haines
Jephta Higdon
Juan Bols
Tomas Moore
Juan Dix
La Vuida Calvet
Jeremais Coleman
Israel Coleman
McCurtis
Guillermo Daniels
Ricardo Dun
Isac Tabor
Roberto Dunbar
Ricardo Ellis
La Vuida Carpenter
Marta Foster
Jaime Foster
Alexander Henderson
Pedro Camus

Juan Lum
Hugh Coyle
Tomas Kelly
Miguel Doren
Andres Bell
Jese Withers
Jaime McIntire
Moises Bonner el Viejo
Will Bonner
Boises Bonner el joven
Jose Bonner
Enrique Manadue
Enrique Manadue el joven
Carlos Howard
Juan Vaucheret
Jose Vaucheret
Jose Vaucheret
Windsor Pips
Abner Pips
Juan Stowers
Juan Conarrod Strong
Juan Baptests
Carlos Boardman
Azael Lewis
Emanuel Madden
Roberto Cotton
Miguel Pamer
Juan Bisland
Jaime Wade
Guillermo Owens
Tomas Jordan
Jaime Bonner
Juan Kenrick
Juan Osberry
Francisco Pourchous
Antonio Pourchous
Gabriel Benoit
Juan Carrel
Juan Scoggins
Juan Shonauer
Guillermo Henderson
Eliza Ophill
Francisco Anderson
Jose Bernard
Jorge Fitzgerald
Jaime Fitzgerald
Daniel Crafton
Polser Shilling
Jaime Ferry[3]
Tomas Rule
Alexandro Moore
Adam Bingman
Eunice MacIntoche
Guillermo MacIntoche
Philetus Smith
Guillermo Smith
Roberto Todd
Ricardo Adams
Federico Man
Carlos King
Israel Leonard
Guillermo Barland
Bernardo Lintot
David Williams
Benjamin Momanto
Sutton Banks
Antonio Grass
Estavan Mays
David Mulkey
Guillermo Gillaspie
Carlos Kayson
Ishamer Andrews
Jacobo Percey
Margarita Mygatt
Guillermo Silkreg
Jaime Glascock
Archwald Sloan
Catalina Smith

3 More likely Terry.

La Vuide Urry
La Vuida Cobberston
Guillermo Vousdan
Solomon Leyenne
Tomas Huggs
Jaime Willey
Samuel Tanner
Daniel Sullivan
Jesus Beanden
Tomas Reed
Daniel Huilker
Ezekiel Dwet
Jose Duncan
Samuel Swezey
Solivester
Tomas Jackson
Luis Vilaret
Andres Scandling
Ebenezer Dayton
Juan Tomas
Eduardo MacCable
Juan Wilson
Tomas Freman
Ricardo Swezy
Jacobo Stoop
Juan Conner
Guillermo Weake
Ricardo Bell
Reuben Gibson
Gibbs Gibson
Samuel Flowers
Tomas Foster
Guillermo Foster
Guillermo Gilbert
Nataniel Iwey
Abram Horton
Ezekiel Forman
La Muger de Jeremias Bryan
Guillermo Elliott
Cornelio Shaw
Jose Harrison
Juan Bulling
Tomas Darrah
Carlos Johns
Jaime Forzith
Juan Ferguson
Gorge Troops
Guillermo Stock
La Vuida Smith
Juan Foster
Samuel Gilkson
Cristian Harman
Tomas Reilly
Juan De Bready
Jorge Rich
Jorge Killian
Juan Perkins
Kedow Rabby
Ricardo Miller
Guillermo Ryan
Carlos Adams
Carlos Carter
Guillermo Morning
Job Richards

District of Santa Clara.

Roberto Carter
Jose Perkins
Juan Elmore

The spelling of names is given as recorded in official records. However, it is well to note that many of the officials of that time were uneducated Spanish officers, and English names, as well as Spanish and French, were corrupted in the spelling.

PROVINCIAL GOVERNMENT

French Dominion, 1699-1763.

The following governors ruled the country as the representatives of France:

Pierre Le Moyne d'Iberville, Governor General.
Antoine Le Moyne Sauvolle
Jean Baptiste Le Moyne Bienville
Antoine de la Mothe Cadillac
M. De l'Epinay
Jean Baptiste Le Moyne Bienville (reappointed)
M. Perier
Jean Baptiste Le Moyne Bienville (reappointed)
Marquis de Vaudreuil
Louis Billouart de Kerleréc.

English Dominion, 1763-1781.

The following Royal governors ruled the province during the English dominion of eighteen years:

George Johnstone, 1763 to 1767.
Montfort Browne, *ad interim*, 1767 to 1768.
John Eliot, 1768.
Montfort Browne, *ad interim* 1768 to 1769.
Elias Durnford, *ad interim* 1769 to 1770.
Peter Chester, 1770 to 1781.

Spanish Dominion, 1779-1798.

The military and civil commandants of the Natchez District under Spanish rule were as follows:

Francisco Collell
Felipe Treviño
Esteban Miró
Pedro Piernas
Francisco Bouligny
Carlos de Grand Pré
Manuel Gayoso de Lemos
José Vidal
Stephen Minor.

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FLAG OF THE UNITED STATES, 1798-1861

From Painting by N. Benson

As emblems of sovereignty seven flags have waved over the State of Mississippi:

FLAG OF SPAIN, 1512-1699

FLAG OF FRANCE, 1699-1763

FLAG OF ENGLAND, 1763-1779

FLAG OF SPAIN, 1779-1798 AND 1812

FLAG OF THE UNITED STATES, 1798-1861

THE MAGNOLIA FLAG OF MISSISSIPPI, 1861-1894

FLAG OF THE CONFEDERACY, 1861-1865

FLAG OF THE UNITED STATES, 1865-

FLAG OF MISSISSIPPI, 1894-

CHAPTER IX

SARGENT ADMINISTRATION, 1798-1801

MISSISSIPPI TERRITORY CREATED—ORGANIZATION OF GOVERNMENT—ADMINISTRATION OF WINTHROP SARGENT—THE GOVERNOR'S ADDRESS—REGULATION OF THE MILITIA—TEMPORARY GOVERNMENT ORGANIZED—RELATIONS WITH SPANISH LOUISIANA—EARLY LAWS OF THE MISSISSIPPI TERRITORY—ADAMS AND PICKERING COUNTIES CREATED—THE PORT OF NATCHEZ—SARGENT'S ENEMIES BECOME ACTIVE—FIRST TERRITORIAL ELECTION—THE GOVERNMENT LEFT WITH SECRETARY STEELE.

The establishment of the Mississippi Territory is no exception to the general rule that the formation of all the commonwealths of the United States was attended by turmoil, partisanship, ambition for leadership and personal and political bitterness. Unfortunately, its first few years were blessed with few conciliators, but rather were vexed by men of uncompromising opinions, violently expressed, albeit leaders of ability and usually of honorable intentions. From such test and trial, however, the people are more apt to realize something of enduring worth than if leaders and conditions, acts and policies, are not subjected to thorough analysis and criticism.

It is of peculiar significance that the territory northwest of the Ohio River, which was the first noteworthy political extension of the United States beyond the Alleghanies, should be largely indebted for its fundamental ordinance of 1787 and its organization as well to southern leaders, among whom were several of Mississippi prominence, then or afterward.

On the 12th of June, 1797, after Ellicott had been nearly four months at Natchez endeavoring to commence work on the southern boundary line, President Adams, in a special message to Congress, recommended that body "to erect a government in the district of Natchez similar to that established for the territory northwest of the Ohio, with certain modifications relative to titles or claims of land, whether of individuals or companies, or to claims of jurisdiction of any individual state." The land claims

to which the President referred were those involving Spanish titles and the alleged jurisdiction of Georgia between the Chattahoochee and Mississippi rivers.

Virginia, on the other hand, had relinquished to the Federal government all her claims to western lands and made the organization of the northwestern territory possible. In 1786 the New England Ohio Company was formed to colonize the proposed territory. Those chiefly interested were General Sam H. Parsons, General Benjamin Tupper, General Rufus Putnam and Major Winthrop Sargent, all Revolutionary officers of high standing. Dr. Manasseh Cutler, one of the most learned and astute men of New England, was appointed general agent of the company. The object of the enterprise was to purchase a large body of land in the northwest, establish a colony and have its members appointed to the various offices in the new territory about to be organized.

Dr. Cutler arrived in New York on July 5, 1787, with sundry letters of introduction to various congressional leaders, primarily to make a contract with the national body for the required land. General Arthur St. Clair was then president of congress. Captain Thomas Hutchins, then perhaps the most eminent surveyor of the country, already an established landowner in the Natchez District, was in New York at the time. Captain Hutchins was acting as geographer of the United States under the Confederation, as he had formerly been geographer general "to the king." The ordinance for the government of the proposed territory was then under consideration and land had also to be secured for the colony.

Several paragraphs in Dr. Cutler's "journal" directly connect Captain Hutchins and Major Sargent with the founding of the Northwestern Territory. Under date of July 7, 1787, it is noted:

"Introduced by Mr. Rittenhouse (Congressman) to Captain Thomas Hutchins, geographer of the United States, who, as geographer general to the king, had explored and described the valley of the Ohio before the Revolutionary War. Consulted with him where to make the location.

"July 9th. Waited again this morning on Captain Hutchins. He gave me the fullest information of the country from Pennsylvania to the Illinois and advised me, by all means, to make choice of the Muskingum. Attended the committee and then spent the

evening with Captain Hutchins. Went early to the committee, where the debate showed that our views were wide apart, and then repaired again to Captain Hutchins for further consultation.

"July 19th. A number of members are opposed to my proposition, some to making any contract; must ascertain who these are and, if possible, bring them over. Grayson, R. H. Lee and Carrington are my warm advocates.

"July 23d. My friends making every effort to bring over my opponents. To get at some of them I was obliged to engage three or four persons to attack in rear, flank and front, at the same time. In some cases I engaged one person, who engaged a second, and he a third, before we could effect our purpose. In these manoeuvers I am much indebted to Colonel Duer and Major Winthrop Sargent.

"Spent the evening with Colonel Grayson and other southern members favorable to my contract. Having found it impossible to have General Parsons appointed governor against the interest that General St. Clair had secured, I said that if Parsons could have the first judgeship and Sargent be secretary, we should be satisfied; that I should be willing to see General St. Clair made governor and would solicit the eastern members in his behalf. This I found agreeable to the southern members."

In the meantime (July 13, 1787) the ordinance was passed which was made the fundamental law of Mississippi Territory and consequently of the State.

MISSISSIPPI TERRITORY CREATED

The suggestion of President Adams for the erection of a government in the district of Natchez "similar to that established northwest of the Ohio, made in the summer of 1797, did not bear tangible results until March 6th of the following year. On that date the national House of Representatives was notified that the Senate had passed a bill "for an amicable settlement of limits within the State of Georgia and authorizing a government in the Mississippi Territory." On the following day, April 7, 1798, it became a law.

The limits of the Territory were defined as a line drawn east from the mouth of the Yazoo to the Chattahoochie River; the eastern boundary the latter river, the southern, the thirty-first de-

gree of north latitude, and the western, the Mississippi River. The President of the United States was authorized to establish a government in the Mississippi Territory similar to that of the Northwestern Territory, with the exception of the provision relating to slavery. The officers, with compensation for their services, were to be the same. It was stipulated that "the powers, duties and emoluments of a superintendent of Indian affairs for the southern department, shall be united with those of governor." The establishment of the territorial government by congress was declared to in no way impair the claims of Georgia.

The article regarding slaves in the act creating the territory which replaced the provision in the ordinance of 1787 was as follows:

"From and after the establishment of the aforesaid government, it shall not be lawful for any person or persons to import or bring into the said Mississippi Territory from any port or place within the limits of the United States, or to cause or procure to be so imported or brought, or knowingly to assist in so importing or bringing any slave or slaves, and every person so offending and being thereof convicted before any court within the said territory having competent jurisdiction, shall forfeit and pay for each and every slave so imported or brought, the sum of three hundred dollars; one moiety for the use of the United States and the other moiety for the use of any person or persons who shall sue for the same; and every slave so imported or brought shall hereupon become entitled to and receive his or her freedom."

Thus, although the importation of slaves from Africa and other foreign lands was barred, interstate traffic in them was recognized.

ORGANIZATION OF GOVERNMENT

Under the provisions of the organic act, President Adams appointed Winthrop Sargent of Massachusetts Governor of the Territory; John Steele, of Virginia, secretary; Peter B. Bruin, of Mississippi, Daniel Tilton, of New Hampshire, and William McGuire, of Virginia, judges. All but Judge McGuire were confirmed by the senate, on May 7, 1798, the third member of the territorial bench not being appointed until the following month. William McGuire, the chief justice, was the only lawyer on the bench, and neither he nor Judge Tilton arrived in Mississippi for some time,

the judicial burden resting on Major Bruin, a brave and honorable Revolutionary soldier who had but little legal education or experience, but had resided in the Natchez District for ten years.

Before the arrival of Governor Sargent there was an interregnum of several months during which Mississippi was without civil government. The Spanish garrison marched out of Fort Panmure on March 29, 1798, leaving Captain Guion commanding the United States forces in the Natchez District and Andrew Ellicott, American commissioner, to run the boundary line. Governor Sargent did not arrive in Natchez until August 6, 1798, and during about four months Captain Guion acted as civil and military commander of the district.

Captain Isaac Guion gained his military standing under Wayne in the Indian campaigns of the Northwestern territory. He is described as a singularly handsome man, of fine education and fascinating manners, and also appears to have been a man of good judgment. The period during which the people of the Natchez District were awaiting the arrival of the civil and judicial officials appointed under the territorial act of April 7, 1798, was one of order. It was not tranquil, however, for the Permanent Committee, under Ellicott, the Committee of Safety, headed by Colonel Hutchins, and lesser bodies of citizens, were clashing and appealing to the captain to recognize them as true exponents of public sentiment. Captain Guion and the leaders of the home factions were also engaged in a constant appeal to the Federal Secretary of State to sustain their positions.

A committee of leading citizens, under date of May 1, 1798, suggested to Captain Guion the pressing need of a temporary government. Their communication represented that "we, the inhabitants of this town, have entered into a resolution to use our exertions toward effecting the erection of a Temporary Government until that duty authorized by Congress shall have arrived," for "the mending of roads, removing public nuisances, establishing a town patrol, suppressing riots and punishing riotous persons," preventing sale of intoxicants to Indians and regulating the collection of debts. In response, Guion said he would support any regulations which the freeholders might recommend, and made a similar response to William Vousdan, a settler who had become a large landholder under British rule and afterward served as district surveyor for the Spanish administration.

It is quite natural that Captain Guion's equanimity should occasionally have broken down under the fusillade of appeals to which he was subjected, and that he should give expression to his feelings thus: "This is a hot country and peopled in a very chequered manner—a great number of the most turbulent characters—who have fled from the different states for fear of having justice done on them. They are the most clamorous for government (having nothing to protect) and afraid of it." Writing a month later to the Secretary of War he modified his indictment to "a few turbulent and busy spirits," and declared that the majority of the people "when left to the unbiased exercise of their own judgment" were "above the ordinary capacity of like numbers in most of the states." *Ellicott's Journal* conveys an impression of the more charitable opinion and Wailes views the situation broadly in the comment that the local rivalries "for power and influence were but the common instincts of ambitious men whereever they may be placed."

Captain Guion's position was particularly difficult. He represented the military branch of the government and Ellicott, the civil. They were Federalists and the majority of the people of the Natchez District were Jeffersonian Republicans. The venerable Colonel Hutchins, the bitter enemy of Ellicott, was the Republican leader. Although his official and political connections would have prompted him to support the Ellicott party, Captain Guion appeared quite unbiased and did not hesitate to severely criticise the provocative policy of Ellicott's Permanent Committee.

The situation prevailing under Captain Guion's administration *ad interim*, and just previous to the arrival of Governor Sargent, is thus pictured:

"The district had for many years been subject to the intrigues of Spanish, French and English, not to mention the discordant policies of the United States and Georgia—an intricate maze difficult to thread intelligently now with many secrets disclosed. The people had had little opportunity for the unbiased exercise of their own judgment. The rivalry between Colonel Hutchins and Commissioner Ellicott had tended to bias the judgment of the inhabitants regarding the Ordinance of 1787, particularly the mode of territorial government prescribed (known as the first grade). It was not difficult to see why Hutchins should have

asked that the people should have the right to select their own governor, when it is remembered that the report came down that Ellicott was to be chosen; but his assertions that life under that ordinance would be no better than slavery undoubtedly had much effect. In fact, a considerable party in Ohio said the same thing, protesting against a government in which the people had no voice.

"The lawmaking power until there should be a white population of something like 25,000 was to be exercised by three men, the Governor and two or three judges appointed by the President of the United States, and answerable only to him and the Senate. When the Territory should have 5,000 free males of lawful age a house of representatives would be permitted, but yet the President would have the appointment of the upper house or council and the Governor would have an absolute veto. Such, however, was the form of government devised for western territory eleven years before Governor Sargent's time, and applied to all the country from Lake Superior to the Gulf."

ADMINISTRATION OF WINTHROP SARGENT

Winthrop Sargent, first Governor of Mississippi Territory, was born at Gloucester, a coast town of Massachusetts, May 1, 1755. His first paternal ancestor who came to America was William Sargent. He immigrated to the colony from Gloucester, England, some time before 1668, since which time his descendants have been distinguished in law, literature, art and politics.

Sargent was graduated from Harvard University, and soon after went to sea as captain of a merchant vessel owned by his father. On July 7, 1775, he enlisted in the Army of the Revolution, as a lieutenant in Gridley's Regiment of Massachusetts Artillery; on December 10, 1775, was promoted to Captain Lieutenant of Knox's Regiment, Continental Artillery. He received the following promotions before the close of the war: Captain 3rd Continental Artillery, January 1, 1777; brevet Major, August 28, 1783; served as Aide-de-Camp to General Howe from June, 1780, to 1783.

Major Sargent took an active part, with his artillery, at the siege of Boston, the battles of Long Island, White Plains, Trenton, Brandywine, Germantown, Monmouth and other important operations. A chronicler of 1801, in writing of Sargent at the close

of the war, says: "Six months' pay in Morris' notes and his sword were all that were left to him." In this condition of affairs Major Sargent determined to apply for a commission in the army of Holland, and with that end in view, applied to General Washington for a testimonial of his service in the Continental Army, who gave him a certificate in these words:

"I certify, that Major Winthrop Sargent, lately an officer in the line of artillery, and Aide-de-Camp to Major General Howe, has served with great reputation in the armies of the United States of America; that he entered into the service of his country at an early period of the war, and during the continuance of it, displayed a zeal, integrity and intelligence which did honor to him as an officer and a gentleman.

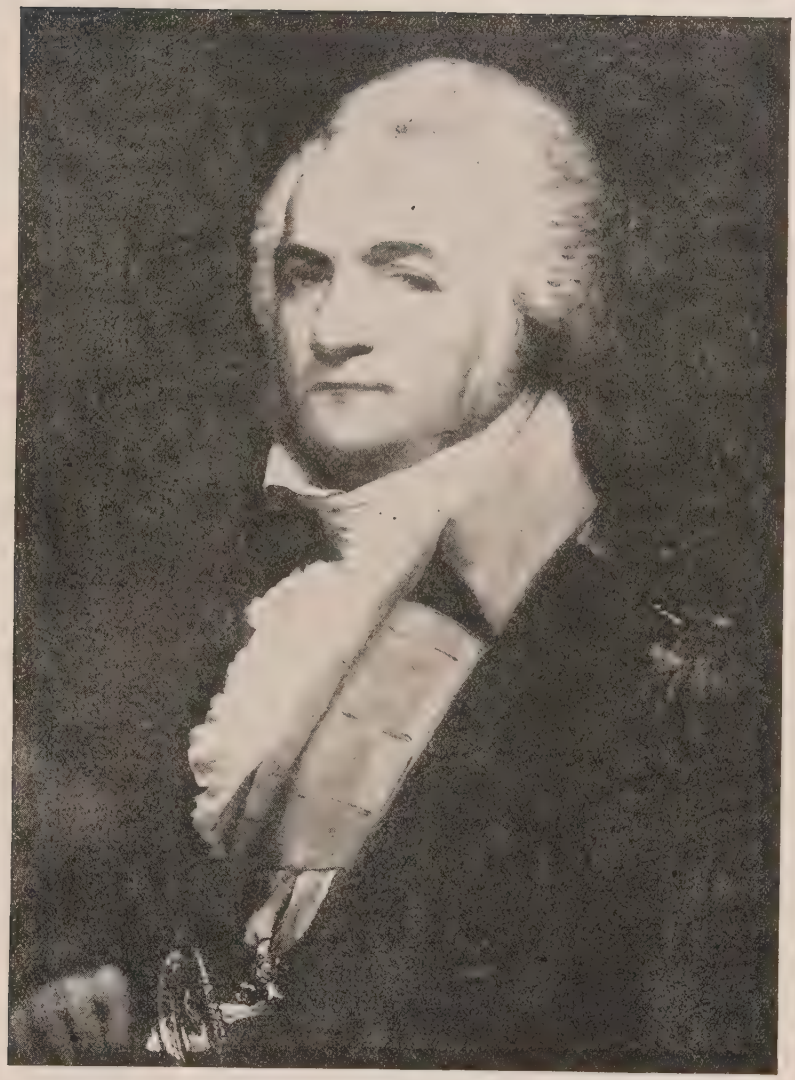
"Given under my hand and seal, this 18th day of June, 1785.

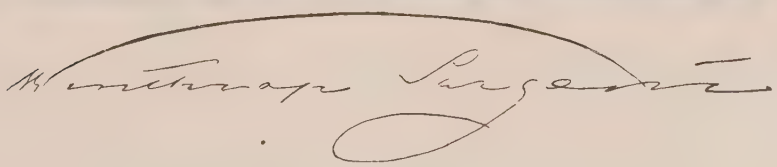
"(Signed) George Washington,
"late Commander in Chief &c."

At this juncture a company was formed, made up largely of revolutionary soldiers, for the settlement of the Ohio River country, known as the Northwestern Territory, and Major Sargent accepted employment as a surveyor, charged with the duty of laying out the country into townships. On the organization of a government for the Northwestern Territory, in 1787, he was elected its secretary by the old Congress.

In the war against the Miami Indians, Secretary Sargent served as Adjutant-General of the army in the field under General Arthur St. Clair, and was wounded in the disastrous defeat on the Maume, November 4, 1791. He continued to serve as secretary of the Northwestern Territory, and much of the time as acting Governor, until President Adams appointed him Governor of Mississippi Territory.

Many of the most intimate details of Governor Sargent's administration are revealed in his journal, which as published by the Mississippi Department of Archives and History, commences May 21, 1798, when he acknowledged his nomination as governor to the Secretary of State, Timothy Pickering, and, concludes with the letter of April 3, 1801, in which he notified James Madison, then Secretary of State, that he was taking advantage of the presidential permission to absent himself for a short time "from this government when the same should have been organized and peace established for the United States." When Governor St.





From an oil portrait in the Mississippi Hall of Fame

Clair arrived at Cincinnati, May 17, 1798, Governor Sargent had been making arrangements to leave for the Natchez country. He had been in such poor health that his physicians and friends had "declared a change of air necessary." He suggested to the Secretary of State that his extra expenses be paid which he might incur in taking possession of the new country, and that he receive extra compensation for his services as acting governor. His salary as secretary was $750 per annum.

On the 29th of May, the Governor acknowledged his commission, which had been sent by Pickering on the 10th of the month. He wrote of his apprehensions as to the full discharge of his duties on account of the absence of the judges and the secretary, and added: "First impressions are strong. It will therefore, I apprehend, be unfortunate for our government should the executive be constrained to visit Mississippi Territory without the judges." But he expressed the intention of applying for transportation to General Wilkinson, who was expected immediately.

Governor Sargent wrote a number of letters to Secretary of State Pickering asking for instructions on a variety of subjects. His relations and policy with the Indians were perplexing matters. Col. Benjamin Hawkins was general superintendent of Indian affairs for the Southern Department, while under the creative act he was superintendent of Indian affairs for the Mississippi Territory. The Indians had become acquainted with Colonel Hawkins and might insist upon dealing through him, which, if he happened to be at a distance, might cause delay and trouble. He intimated that it would be well to conciliate the Indians with presents and food and steadily pressed this matter upon the Federal government, as the Spaniards were continually buying the good will of the red men.

General Wilkinson arrived in Cincinnati with several boats on June 14, 1798, and arranged to accommodate the Governor with transportation to Natchez as soon as possible. He sent out another earnest appeal for the coming of his associate officials, especially the judges. "I had flattered myself," he wrote, "that Mr. Tilton would have been on the way, but I am told he is gone into New Hampshire." He adds: "From the best intelligence I have been able to procure, there prevails in the country of our destination a refractory and turbulent spirit, with parties headed by men of perverseness and cunning. They have run wild in the

recess of government and every moment's delay in the adoption of rules and regulations after the ordinance, etc., shall be promulgated amongst them, must be productive of growing evils and discontent."

Governor Sargent had received a letter from the Secretary of State, in which he was informed of the character of the people he was sent to govern, the condition of the country, and the necessity of being at once firm and conciliatory. He was advised to emulate the example of Governor Gayoso "in cultivating agreeable social relations with the citizens."

Governor Sargent replied as follows:

"And now my dear sir to respond to the important private letter of the beforementioned date (May 11, 1798), I do indeed 'accept your remarks in good part,' and you cannot confer upon me more obligation than by continuing them. They may be honorable to myself and useful to the new government.

"The footing upon which Governor Gayoso lived with the inhabitants of Natchez, it may not be exactly in my power to observe, from the difference between American and Spanish appointments, and which must be as well, or better known to you than myself. I will, however, cheerfully make such pecuniary sacrifices as my circumstances may admit for the interest of the government, and it shall be my study to conciliate and attach all parties to the United States."

Toward the last of June, 1798, Governor Sargent left Fort Washington, or Cincinnati, with a number of emigrant families from the Northwestern Territory, on his way to the Mississippi Territory. On the second of July, at the foot of the rapids of the Ohio, he dispatched a note to John Steele, the territorial secretary, who was then at Knoxville negotiating a treaty with the Cherokee Indians, urging him to join him as soon as possible, as it seemed "specially important at this crisis that every officer of the government should be at his post."

During the voyage down the Ohio and the Mississippi, Governor Sargent was very ill, and for a considerable time after his arrival at Natchez, on August 6th, his life hung in the balance. During his convalescence he was cared for at Concord, the handsome residence which Gayoso had erected while he was governor and which stood about two miles from Fort Panmure. General Wilkinson also lived there. At the time of Governor Sargent's

arrival it was in charge of Peter Walker, an old settler who also was the caretaker for Fort Panmure while it was unoccupied by the British. Concord with its plantation was purchased by Capt. Stephen Minor after Gayoso's death in July, 1799, and was long a social and political center.

THE GOVERNOR'S ADDRESS

On August 18, 1798, the Governor made an "address to the inhabitants of the Mississippi Territory," in which he epitomized the laws and regulations to which they were now subject. The ordinance of 1787 had been designated by Congress for their immediate and temporary government, with the exception of the provision regarding slavery. By this ordinance it was provided that the Governor and judges should adopt laws for the government of the people and that important duty presumably would no longer be delayed than the arrival of another of the judges. The province of the Governor was to cause due execution of the laws and to use the pardoning power with caution. All appointments within the territory, not specially enumerated in the ordinance, were with the Governor "and merit only can entitle a man to office." Attachment to the United States and good government, a disposition to preserve peace and order and harmonize contending sentiments would be held in "very honorable estimation." "Imperious circumstances" demanded that the Governor should lose no time in the organization of a well appointed militia, and he postponed the same only to gain the necessary information as to conditions and previous organizations. He promised, as soon as possible, to divide the territory into districts and appoint magistrates and other officers necessary to the execution of civil and criminal processes. Governor Sargent warned the people against the "insidious attempts of nefarious men," and to keep their eyes "on the men of no country whose pursuits here are quite problematical, and whose smallest interference with your police must be considered vile usurpation."

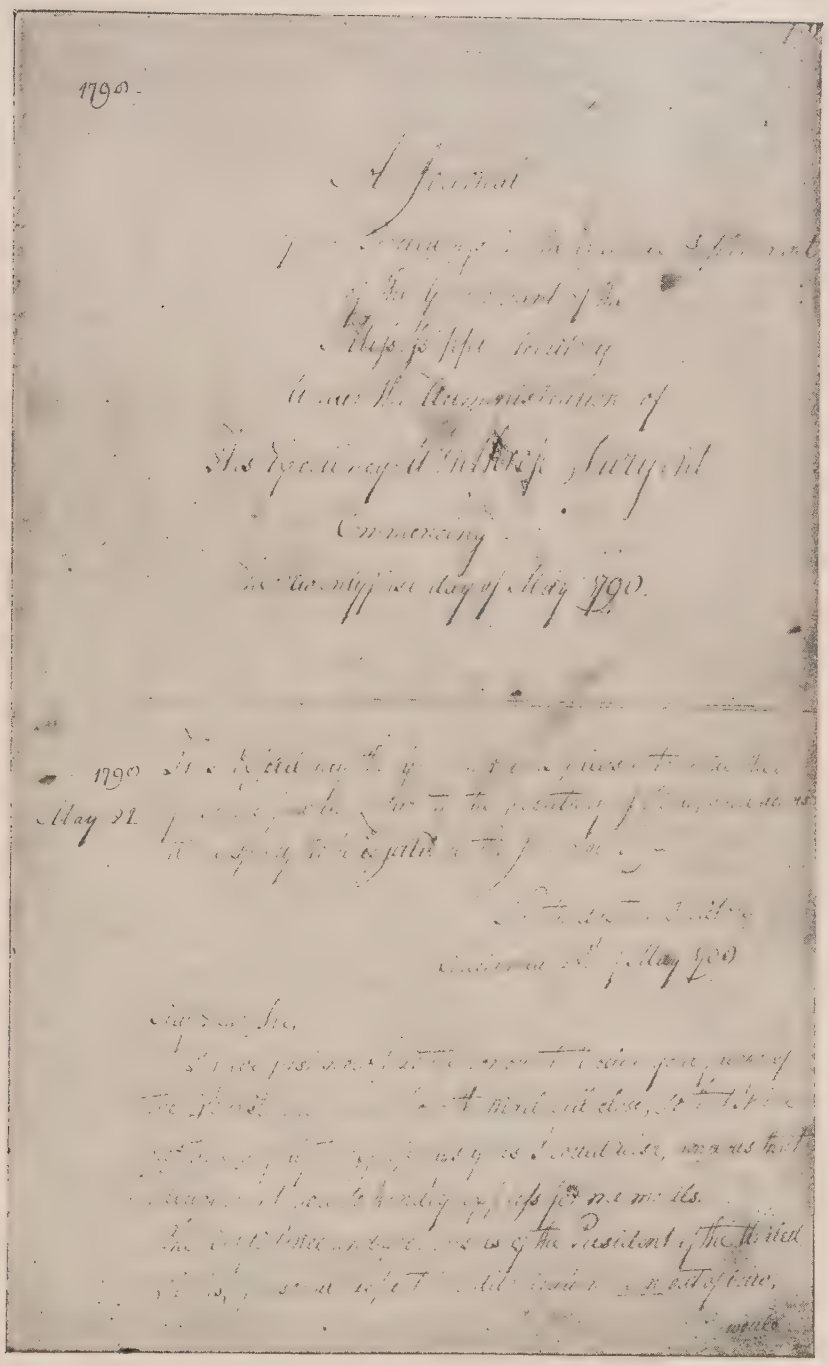
Two days after making what may be termed his inaugural address, Governor Sargent wrote a long letter to the Secretary of State deploring the continued absence of the judges. "My great source of uneasiness is the want of judges. I pray God Mr. McGuire may soon arrive, or some law character. In a court from which there is no appeal, most certainly there should be law

knowledge. Judge Bruin, a worthy and sensible man, is beyond doubt deficient and Judge Tilton cannot have had more reading or experience. Under these circumstances might it not be advisable to make compensation to some gentleman learned in the law to reside here as an attorney for the United States and Territory?" The presence of the secretary was not so important, as past experience had made the Governor also familiar with the duties of the secretary. He intimated, however, that Mr. Steele would be useful to ward off applicants for office and relieve him of numerous burdensome details.

Governor Sargent asked for the President's instructions regarding the treatment of Zachariah Coxe, an agent of the Georgia land companies which claimed jurisdiction over Mississippi Territory. Before the Governor's arrival Coxe was at the head of an armed party and was afterward arrested by Captain Guion. The rebel was still in confinement and Governor Sargent was evidently in doubt as to what he had better do with his prisoner.

The Secretary of State was requested to forward two seals —one for Adams County and the other for Pickering—the two counties then in contemplation. Another more crying need was broached to Pickering in these words: "We have no printing press in this country; we are remote from all others and, under such circumstances, I shall find it impracticable to diffuse a knowledge of the laws and other useful matters without the aid of government—a small Travelling press sufficient for half a sheet of post paper, which would give four pages, would be a blessing to the people of the Territory, and I would myself contrive to manage it if we may through your goodness be indulged."

Governor Sargent called attention to the fact that Governor St. Clair, of the Northwestern Territory, had, as superintendent of Indian affairs "been a mere cipher." Negotiations and the distribution of presents had been conducted by minor officers, although "all the responsibility was his." The Governor of the Mississippi Territory concluded on this point: "I trust such conduct may not be attempted to be practiced upon me, for without the President's express mandate in point I shall not submit to it." He then referred particularly to the Choctaw Indians and the trouble which they were making by killing the cattle of the settlers, and suggested that they be kept in good humor by a "little bread, beef and liquor and some trifling presents," for which he



1790.

A Journal

of the Proceedings of the Governor

& Judges of the Territory

of the United States of America

North West of the River Ohio

Commencing

the Twenty fifth day of May 1790.

1790 May 25th

FIRST PAGE OF TERRITORIAL GOVERNOR WINTHROP SARGENT'S
LETTER BOOK

requested immediate provision. The Governor also wrote to Samuel Mitchell, agent of the Choctaw Indians, to investigate the report that the Spaniards encouraged horse stealing and robberies upon the "Natchez path"; to obtain information as to the Indian population of the southern department, especially as to their fighting strength; to be sparing of passports to Indians and to confine them to red men of consequence, and to let them know that strict reparation will be demanded of those who commit depredations upon the property of white people.

Joseph Vidal, Spanish consul and personal representative of Gayoso, informed the Governor that Spain had received intelligence that the Choctaws would not permit the survey of the southern boundary and offered to aid in checking them. That was another reason why it seemed necessary to conciliate the Indians, as Governor Sargent had not yet had an opportunity to organize the territorial militia, which he then estimated at eight hundred men, from sixteen to fifty years of age.

REGULATION OF THE MILITIA

On the eighth of September, 1798, the Governor issued an order for the establishment and regulation of the territorial militia. All free male inhabitants between sixteen and fifty years of age, except Federal and territorial officials, physicians and clergymen, were subject to its provisions. The militia was divided into infantry, or riflemen, and horsemen, sixty-four to a company. The Governor was the commander-in-chief of the militia, and each of the two legions into which it was to be formed was to be in command of a lieutenant colonel. The dividing line between the two military districts was to be a projection eastward from the confluence of Fairchild's Creek with the Mississippi. A legion was equal to four companies. Provision was made for the appointment of minor officers and the required arms of infantry and horsemen, and a fine of fifty cents was imposed for any deficiency in equipment on muster day. Muster, drill and parade day was to be Saturday afternoon of each month, and the printed regulations of the United States army were to govern the militia. There were to be four field days annually on which the legionary corps were to be reviewed by the Governor. Any enrolled person who should fail to appear either on muster or field day was subject to a fine of one dollar for each default, such fines to be paid into

the county treasury and used for the support of the legions. Upon any invasion or domestic disturbance the militia were subject to the call of a magistrate, or rather he was to notify the commanding officer of the county or district of the necessity for its aid. Court martials were to be appointed by the commander-in-chief, or the commandants of legions, but the Governor reserved the power of passing upon the sentences when the punishment was pronounced capital or an officer cashiered. Free males above fifty years of age were to arm themselves for any branch of the militia which they might select, but not be liable for service except in cases of actual invasion.

The Governor appointed Cato West as lieutenant colonel of the upper, or northern district, and Naseworthy Hunter, major of horse. The lieutenant colonel of the lower, or southern district, was not appointed at this time.

TEMPORARY GOVERNMENT ORGANIZED

The Governor had intended to postpone all civil appointments within the Territory until two of the judges were present with whom to advise. Judge Bruin was the only one available. The unexpected delay caused by the non-arrival of Judges McGuire and Tilton, added to the "many misdemeanors which are complained of, and for the remedy of which the whole attention of the judge present seems inadequate," induced him to appoint various "conservators of peace" and two sheriffs as temporary officials. As soon as the duties of justices of the peace should be defined by law they would be appointed and commissioned.

The conservators of peace for the upper, or northern district, corresponding with the military division, were Cato West, Samuel Gibson and Tobias Brashears. William Ferguson was named as sheriff.

For the southern district, Daniel Clark, William Dunbar, Isaac Gaillard, John Ellis (father-in-law of Captain Minor), James McIntosh and Joseph Calvet were appointed conservators of the peace, and Lewis Evans became sheriff.

The conservators of the peace were empowered "to suppress all riots and affrays and to take notice of all treasonable or seditious language and commit the authors, unless they shall give security for future good conduct, to answer for their crimes at the first session of a Court of General Quarter Sessions of the

peace, which shall be holden in the district where the offence may have been committed." Two of the conservators were competent to hold court and issue papers to the sheriff to apprehend and imprison the criminal, who was to be tried at the next session of the Supreme Court of the territory. The conservators were to appoint the constables. The sheriff's duties were of the usual nature and he could call to his aid, in quelling disturbances or serving papers, a *posse comitatus* of citizens necessary to discharge his official functions. He was placed under bonds to the Governor in the sum of $4,000. Conservators of the peace, sheriffs and constables were allowed the same fees as those prevailing in the Northwestern Territory. The conservators and sheriffs were authorized to administer to all "free male inhabitants who are considered as permanent residents of the territory" the oath of allegiance to the United States.

The fall and winter of 1798 did not improve the stability of affairs, civil, social, military or political, in the Mississippi Territory. In fact, the Governor by apparently selecting Ellicott as his confidant and adviser made enemies of many of the most popular and able citizens of the territory. He rather sided with the commissioner in his quarrel with Thomas Freeman, the surveyor on the boundary commission, although he did not go to the lengths suggested by Ellicott to discipline his subordinate. Freeman was a warm friend of Captain Guion, and when General Wilkinson arrived in Natchez on September 26th he supported the minor surveyor in his criticisms of Ellicott. From the general tenor of the various accounts which have come down, the American commissioner gave more time than he should to politics and intrigues, and not enough to his special business of surveying the southern boundary of the United States.

When General Wilkinson, commander-in-chief of the army, arrived at Natchez with his troops, he fixed his cantonments in the vicinity of Washington on the road leading to Second Creek. Not long afterward the general engaged the services of Major Freeman as a surveyor and engineer to plan and construct Fort Adams, which was completed in the following year.

On the very day of General Wilkinson's arrival at Natchez, Zachariah Coxe escaped from imprisonment and, as he was reported to have fled to New Orleans, Governor Gayoso was requested to surrender him to the American authorities.

Governor Sargent was still planning to divide the Territory into two districts or counties as soon as the judges should arrive. He proposed to make the Villa Gayoso, twenty miles above Natchez, the seat of justice in the upper district, although Colonel Thomas Green claimed the property under a Spanish land grant of 1782. He added that "at Natchez, which should be another county town, is a Roman Catholic church which would make a convenient courthouse," but thought better of the suggestion. For in the town was a house, built by the king as an "appendage to the church," which had been occupied by Captain Guion and his troops. The Governor, who claimed to be the legal guardian of all lands and buildings not occupied by the military by special order of the government, suggested to the Secretary of State that the house named should also be used as a courthouse.

The first public building actually erected for the Territory was a jail at Natchez, a frank avowal that punishment awaited the wrongdoer. The timber for it arrived by river in November, 1798, and on the 24th Sargent directed Peter Walker, and Lewis Evans the sheriff, to select a site for the building, after consulting Judge Bruin. Its construction was probably hastened by the escape of Coxe and some of his accomplices, the latter, however, being soon recaptured.

Late in the fall of 1798 the Governor issued a proclamation prohibiting the sale or distribution of ardent spirits to the Indians. To the request of the Choctaws that they be furnished arms, ammunition or provisions to war against the Cadeans, an Indian tribe west of the Mississippi River in Spanish territory, the Governor refused them the means of warfare, but offered them the good offices of his government for a redress of their grievances, through Governor Gayoso, and some ammunition for hunting. He then spoke plainly of the robbery and ill treatment of whites passing through the Choctaw country. The Governor could not promise them either provisions or presents, as he had been making futile applications to be supplied with a fund for that purpose, both through the Secretary of State and the War Department.

Although Secretary Steele appears to have arrived some time in November, 1798, and temporary provision had been made for the accommodation of the civil officials by General Wilkinson, Governor Sargent, by the last of the year had worked himself into a somewhat gloomy state of mind. He notes in December that

BY WINTHROP SARGENT,

GOVERNOR

OF THE

MISSISIPPI TERRITORY.

IN obedience to the will of the General Government, expreſſed in the ſupplemental act for the Government of the Miſſiſippi Territory it is incumbent on me to decl that,

Meſſieurs Cato Weſt, Thomas M. Green, John Burnet, Thomas Calvit, Henry Hunter, and James Hogget, who have been returned as repreſentatives duly elected, ſhould convene upon the fourth Monday of the preſent month, 9 o'clock A. M. at the Government Houſe, in the Town of Natchez.

No return has been yet received from the County of Waſhington, and in Adams County, only two members are returned *duly* elected, tho' Meſſieurs Sutton Banks, Anthony Hutchins, William Conner, Abner L. Duncan, and William Dunbar Eſquire, have their names inſerted in the return, (ſome of them, with a conſiderable plurality of votes,) and are in conſequence, invited to aſſemble alſo at the time & place which has been appointed for the meeting of the repreſentatives, when the ſaid return will be ſubmitted to the view of gentlemen who may be concerned therein.

Given near Natchez, September 10, 1800.

WINTHROP SARGENT.

JOHN STEEL, *Secretary.*

(A COPY.)

PROCLAMATION OF GOVERNOR WINTHROP SARGENT, 1800

BY HIS EXCELLENCY

Winthrop Sargent Eſq.

Governor and Commander in Chief of the Militia of the Miſſiſſippi Territory within the UNITED STATES *of* AMERICA.

To John Bingham *Gentleman* Greeting.

YOU being appointed a Lieutenant of Cavalry in the Militia of the County of Adams

By Virtue of the Power veſted in me, I do by theſe preſents (repoſing ſpecial Truſt and Confidence in your Loyalty, Courage and good Conduct) commiſſion you accordingly — You are therefore carefully and diligently to diſcharge the duty of a Lieutenant in leading, ordering and exerciſing ſaid Militia in Arms, both inferior Officers and Soldiers; and to keep them in good Order and Diſcipline: And they are hereby commanded to obey you as their Lieutenant and you are yourſelf to obſerve and follow ſuch Orders and Inſtructions as you ſhall from Time to Time receive from me or your ſuperior Officers.

GIVEN under my HAND *and the* SEAL *of the ſaid Territory the Twentieth Day of March in the Year of our* LORD *One Thouſand Eight Hundred and One and of the Independence of the* UNITED STATES *of* AMERICA, *the Twenty fifth*

By his Excellency's command,

John Steele *Secretary*

FORM OF MILITARY COMMISSION ISSUED BY THE MISSISSIPPI TERRITORY IN 1801

"the secretary has been so very ill ever since his arrival in the territory that it is doubtful if he can recover." His own health impaired, the outlook was not encouraging for the young territory, but the new Governor was never without a firm purpose and a strong desire for the public welfare, pessimistic as he may have at times been.

Under date of December 20, 1798, Sargent wrote to Mr. Pickering, the Honorable Secretary of State, as if the territory were beyond hope.

"In several of my former letters, sir, I have presumed to express an opinion of the necessity of early attention to the Land Claims of the people here. Soured by the seeming inattention of the General Government, which no doubt is insidiously Blazoned by Spanish Emissaries, we are loosing the Inhabitants whilst discontent is every moment encreasing amongst those who remain behind—and indeed it is not very strange that so it should be, for destitute of Municiple Laws or efficient Magistrates, our state is truly deplorable and until the arrival of the Judges it can not be otherwise. Diffused over our country are Aliens of various Characters and amongst them the most Abandoned of Vilains who have escaped from the Chains and Prisons of Spain and been Convicted of the Blackest of Crimes. It would be wise and good Policy, I should Conceive Sir, that Provision might be made for promptly extirpating such from our territory, for 'tis enough for to Correct and punish our own Crimes, and even this seems at present totally beyond our Ability. We have no Prisons, no sufficient places of Confinement, and the Vilest offenders therefore Calculate with some Certainty upon Impunity. I have done everything in my power, more perhaps, but I trust necessity will plead my Justification. All however is inadequate, and very Just Causes of Complaint will remain till some complete system for our good regulation be adopted, which I most fervently supplicate may no longer be delayed. I pray it for the sake of the people, for the fair Reputation and Dignity of the United States and for my own honour, peace and quiet:—I am here, Sir, a mere Cipher, and Tortured by Ten Thousand evils, which I can not remidy or redress. My situation is distressing and but for the Continuance of hope would be truly Wretched.

"The task of the Judges and myself will be more and more arduous as they shall delay coming to the territory; released

from Spanish Bondage, this Country would have received with Rapture, any Code of Laws from the United States, but being almost in a state of nature since their emancipation, the very mildest statutes, I am apprehensive, may be considered as Oppressive. I shall, however, you may rest assured, sir, Continue to use my best endeavors, at all times, to Conciliate them to Good Government and the National Interests, remembering always my duty to the Sovereign Authority.

"The Population of this Country, Sir, as I have already assured you, is small.—Very inferior to the Adjacent Establishments in Louisiana, and this Consideration, in our distant and defenceless state, upon any Occasion of Disgust with the General Government, might incline them to seek a reunion with their old Province. A liberal or equitable decision, however, upon their Land Claims would I should believe produce a preference for the United States. But remaining a very small people, a mere handfull of men, their apprehensions from red as well as White Neighbors might Nevertheless induce a conduct Nationally injurious. To provide against which, Sir, I humbly Conceive it would be a very good policy to open as immediately as possible in this Country a Land Office, and encourage settlements to a Considerable population. For, with our present numbers, we are in continual anxiety from the Choctaw Indians. They are almost always in our settlements and living upon us. Their numbers so great that the defenceless Planters are very oft. fair to sacrifice almost their whole crops for the Preservation of their lives, and it not unfrequently happens that these Indians are Nevertheless Insolent. I trust and pray, Sir, for and in behalf of the Inhabitants of this Territory and myself, that some measures may be taken to remidy this almost intolerable evil. It was somewhat complained of under the Spanish Government, but as they took care to furnish those presents, which it was always their custom to bestow, in places remote from Plantation Settlements their sufferings were not so great as ours.

"We must, I Conceive Sir, submit to make the Choctaw Indians Annual Presents, or be at War with them, for Individuals will not always be Constrained to perform this perhaps duty of the Public. They will resist with temper and violence, and Hostilities be the Consequence."

RELATIONS WITH SPANISH LOUISIANA

The line of demarkation between the American and Spanish possessions having been finally established in the fall of 1798, such of the inhabitants of the Natchez District as were so inclined quietly retired within the bounds of Louisiana, at that time more stable than the young, formative Territory of Mississippi. The establishment of the American military post under General Wilkinson at what subsequently became Fort Adams, a few miles above the international boundary, was designed to ensure a friendly neutrality. A new Spanish post was erected on the west bank of the river opposite Fort Panmure, at Natchez, and as an evidence of good will it was designated as Fort Concord. A convention was entered into between General Wilkinson and the governor general of Louisiana for the mutual surrender of deserters, and another agreement was concluded between Governor Sargent at Natchez and Jose Vidal, the Spanish secretary and consul, for the mutual surrender of fugitive slaves.

Such was the state of affairs in Louisiana until the close of 1798, after which a change in Spanish policy occurred which deterred the migration of Americans to Louisiana, wherein the land laws had been so liberal. Consequent upon the orders from the king revoking the authority of commandants to grant lands, the royal schedule was rigidly enforced. This was only a prelude to other movements more materially affecting the interests of western people from whom had been drawn the main stream of immigration to Spanish Louisiana.

EARLY LAWS OF THE MISSISSIPPI TERRITORY

Early in January, 1799, Judge Daniel Tilton, the second territorial judge, arrived in Natchez. He brought with him the Great Seal of the Territory, similar to the Great Seal of the United States and furnished by Timothy Pickering, the official commissions and the laws of the two last sessions of congress, with the instructions to the American envoys in France. The material which Governor Sargent most required, and for which he had previously applied, was a set of the laws of the several states which might be used in forming a code for the Mississippi Territory. But the "judge's boat was too small" to be burdened with even necessary stationery, to say nothing of bulky law books. Consequently,

with two of the judges upon the ground to form a quorum, the territorial authorities being without legal training or advice, the Governor set about the enactment of the laws of the land—"with much regret on my part," he writes to Pickering, "at the want of the laws of the several states, as we may be compelled to form our Code from the Volumes of the Northwestern Territory, which I by no means can be induced to believe a very good Basis."

Not many months afterward, the strongest opposition to Governor Sargent's administration was largely based upon the crudeness, inadequacy and unconstitutionality of what was rather contemptuously termed "Sargent's Code." He certainly labored under the greatest disadvantage. "Very diffident of my own law knowledge," he says, "I feel extremely anxious for the presence of Judge McGuire who, I am taught to believe, is a great professional character."

The great majority of the laws forming the Sargent Code bear the signature of the Governor and Judges Bruin and Tilton. Few are even signed by Judge McGuire, who was in Mississippi only for a short time in the fall of 1799 and then returned to his home in Virginia. A printing press was then in operation and as fast as the laws were compiled they were printed by Lieutenant Andrew Marschalk, of Fort Sargent. Many laws were adopted by the executive-judicial body in 1799, based upon the ordinance of 1787. On the 28th of February of that year laws were passed establishing courts of judicature and a court of probate, providing for sheriffs, coroners, recorders and treasurers, and regulating marriages, taverns and retailers of liquor.

Provision was made for the establishment of a court to be styled the General Quarter Sessions of the Peace, which was to be held four times annually in every county and to consist of justices of the peace to be nominated and commissioned by the Governor. A Court of Common Pleas was also created, appeal from the judgments of either being taken to the Supreme Territorial Court. The highest judicial body was to sit annually at the places appointed for the courts of General Quarter sessions. The functions of the minor courts were divided according to the degree of punishment or extent of civil judgment. At this first session of the Legislative Council a judge of probate was also created for each county, and in the same year an act was passed

entitled "a law for the easy and speedy recovery of small debts"—from eight to twenty dollars.

ADAMS AND PICKERING COUNTIES CREATED

By proclamation on the second of April, 1799, Governor Sargent established the counties of Adams and Pickering. The boundary between the southern or lower division of the Territory (Adams County) and the northern, or upper (Pickering), was thus described: "Commencing at the mouth of Fairchild's Creek and running direct to the most southern part of Ellicott's villa, thence easterly along the dividing ridge of the waters of Cole's and Sandy creeks so far as the present settlements extend, and thence by a due east line to the territorial boundary, Chattahoochie River". The courts established by law were called to meet in the town of Natchez, for the County of Adams, and at the Villa Gayoso, for Pickering County.

As is customary in a newly organized territory there was considerable friction between the military and civil authorities, and in the case of General Wilkinson and Governor Sargent the chief disagreement seemed to be over the control of the public buildings required for the convenience of the civil executive and his staff. After much negotiation with the government heads, matters were finally adjusted so that the Governor, secretary and judges were accommodated at Villa Gayoso and Natchez for both Adams and Pickering counties.

In April, 1799, Governor Sargent completed the civil organization of the Territory by appointing the officers to serve in the two counties which he had created. For Adams County he commissioned the following as justices of the Common Pleas: Daniel Clark, Bernard Lintot, Thomas Burling, John Ellis, Thomas Wilkins, Abner Green, George Fitzgerald and John Collins. Mr. Lintot was appointed treasurer of the county; William Dunbar, judge of probate; Lewis Evans, sheriff; Milling Woolley, coroner; Peter Walker, clerk to the Court of General Quarter Sessions and prothonotary to the Court of Common Pleas, and John Henderson, recorder. The justices of the peace for the Court of General Quarter Sessions were named as Daniel Clark, William Dunbar, John Ellis, James McIntosh, Thomas Wilkins and Abraham Ellis. Other justices of the peace were Philander Smith, Joshua Howard,

John Collins, Charles Bourdman, Robert Dunbar, William Vousdan and Hugh Davis.

On the 6th of May, 1799, Governor Sargent appointed Roger Dixon, Richard Harrison, William Thomas, Samuel Gibson, George W. Humphreys and Tobias Brashear, justices of the Common Pleas for the county of Pickering. The gentlemen named with Mordecai Throckmorton and John Smith, were also commissioned justices of the peace. Thomas Green became treasurer of Pickering County; William Ferguson, sheriff; Henry Green, coroner, and John Gerault, judge of probate, prothonotary to the Court of Common Pleas, clerk to the Court of General Quarter Sessions, and register.

The Governor also appointed William Williams "keeper of the seal" for the Territory.

The principal question over which the Governor and the territorial judges disagreed in the earlier period of its sittings was the right of admitting attorneys to practice before the courts of the territory. The Governor claimed that was his right and was supported by Judge Bruin. Judge Tilton protested and became so positive that he threatened to resign and leave the Territory if they overruled him. They overruled him and he left, but later returned to Mississippi.

General Wilkinson departed from the territory toward the last of May and left Captain Thomas H. Cushing in command during his absence. The first point of contention with the temporary commander was over his right to order Lieutenant Marschalk to Walnut Hills, after the assurance from General Wilkinson that the printer would be continued at Natchez to complete the Laws of the Territory.

In September, 1799, Chief Justice McGuire left the country, after a short stay, to the evident disappointment of the Governor. He notified the Government that his departure might be attended by consequences highly injurious to the Territory, as he might not return, and Bruin would be the only remaining judge. The laws provided for a Court of Appeals at the commencement of 1800, when the presence of two judges was required. Chief Justice McGuire considered the sacrifice too great to return to Mississippi, and was succeeded by Seth Lewis, of Tennessee, son of one of the Massachusetts settlers of the Natchez District in 1774. A year, however, before the judicial or legal services of

Judge Lewis could be utilized by the much-harrassed Governor, some relief had been obtained through the services of an attorney general. The first official of the Territory thus honored was Lyman Harding, who was also the first attorney general of the state, and whom Governor Sargent appointed September 20, 1799.

THE PORT OF NATCHEZ

When the national government decided to establish a new revenue district along the Mississippi south of Tennessee, the secretary of the treasury, Oliver Wolcott, requested Governor Sargent to consult the citizens of the Mississippi Territory as to the proper location for a port of entry and the most fitting man for collector. In September the Governor recommended to the head of the treasury department that Natchez be selected as the port of entry for the new district and that Dr. John F. Carmichael be appointed collector, with additional ports of delivery at Clarksville, near the national boundary, and at Bayou Pierre. Dr. Carmichael received the appointment as the first collector of the port of Natchez. He was a Pennsylvanian, a surgeon in the army, and after his service as collector was appointed post surgeon, and became somewhat notorious in connection with the court martial of General Wilkinson, for whom he entertained friendship.

GOVERNOR SARGENT'S ENEMIES BECOME ACTIVE

The enemies whom Governor Sargent had made commenced to organize their forces in the summer of 1799 to make a concerted attack upon him and his administration. The strongest leaders, perhaps, in the opposition, were Cato West, afterward acting Governor, Narsworthy Hunter, first delegate to congress, and Colonel Hutchins, who were originally supporters of Ellicott, but had broken with him on account of numerous disagreements. The combination of Sargent and Ellicott had become unbearable to most of the oldest and most influential citizens of the Natchez District and they prepared to carry their grievances to congress.

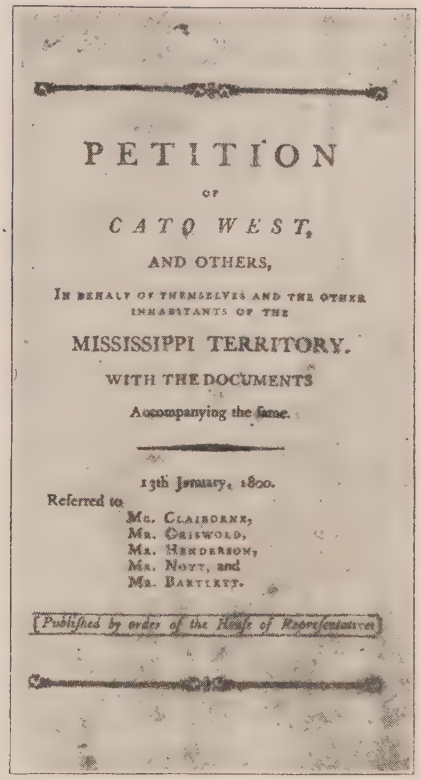
Narsworthy Hunter records that the movement took head at a meeting held July 6th, 1799, "of a number of the principal inhabitants in order to confer upon the unhappy situation of the country and, if possible, to devise a remedy." The meeting sent out a circular to the public presenting the scheme of a repre-

sentative committee. It was chosen about two weeks later, although the Governor and his adherents claimed that it did not represent the people at large. On the 26th of August the committee frankly addressed the Governor. It criticised his appointments as unduly influenced by Ellicott; asked that the people have the privilege of electing their militia officers and that the field officers should be Americans never concerned in foreign intrigues and the magistrates of the same character; and declared that the laws in the Sargent Code to punish treason and arson with forfeiture of property were contrary to the Constitution of the United States. In a letter written to the Secretary of State, on the 20th of September, Sargent came to the unqualified defense of Ellicott. He mentioned another address as having been presented to him and the judges condemnatory of the Code and requesting a popular expression of opinion as to the nature of the laws which should be adopted. The Governor stated that he made a verbal reply to the address, assuring the committee that the present code would be changed when it was patent that "it was not adapted to the situation and circumstances of the people;" that the appointments would remain in his hands; that he had no reason to be dissatisfied with them; that "innuendoes and insinuations against the gentlemen in commission generally, or even an individual of them, could not operate a removal," that "the proceeding was disingenuous and wicked."

In effect, Governor Sargent ignored the demands of the opposition and accepted the gage of battle.

In October, 1799, a committee of citizens chose Colonel Hunter as their agent and spokesman to present their requests and grievances to the congress at Philadelphia. Two petitions had been drawn up by Cato West and approved by the committee—one for confirmation of the people's land rights, and the other "against the improper and oppressive measures of the territorial government and praying for a legislative assembly. Governor Sargent warned Secretary Pickering, in advance, regarding Narsworthy Hunter, affirming that he was "a very inconsistent and intemperate young man."

A petition was presented by Captain Hunter to Congress charging that the inhabitants of the Natchez District had been grossly misrepresented by Andrew Ellicott to the Department of State, and, through him, by Governor Sargent, and voicing their



PETITION

OF

CATO WEST,

AND OTHERS,

IN BEHALF OF THEMSELVES AND THE OTHER INHABITANTS OF THE

MISSISSIPPI TERRITORY.

WITH THE DOCUMENTS

Accompanying the same.

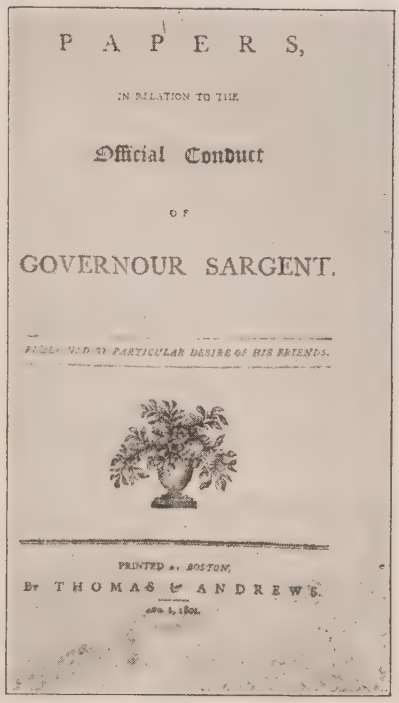
13th January, 1800.

Referred to

Mr. CLAIBORNE,
Mr. GRISWOLD,
Mr. HENDERSON,
Mr. NOTT, and
Mr. BARTLETT.

Published by order of the House of Representatives

Title page of "Petition of Cato West and Others" against the administration of Gov. Winthrop Sargent



PAPERS,

IN RELATION TO THE

Official Conduct

OF

GOVERNOUR SARGENT.

PUBLISHED AT THE PARTICULAR DESIRE OF HIS FRIENDS.

PRINTED AT BOSTON,

BY THOMAS & ANDREWS.

1801.

Title page of pamphlet issued by Gov. Winthrop Sargent in defense of his administration as governor of the Mississippi Territory

disappointment at the promulgation of the Sargent Code subjecting them to arbitrary taxation and exorbitant fees, and praying for the creation of "the second grade of government contemplated under the ordinance." Accompanying it was a letter to Governor Sargent giving a history of the Ellicott maneuvers and declaring:

"Some of your laws cannot be reconciled with the constitution of the United States, or with the laws of the states. By your code any person convicted of treason incurs the death penalty and forfeits all his property, real and personal, to the Territory. The constitution of the United States says that Congress alone shall have the power to declare the punishment for treason and by their laws no forfeiture is incurred. By your Code the person convicted of arson is to be whipped, pilloried, confined in jail not exceeding three years and forfeit all his estates to the territory. The constitution of the United States says that excessive fines and punishments shall not be imposed, and that none of these offenses shall work corruption of blood or forfeiture of estate longer than during the life of the person convicted, and that in the case of treason only."

The committee also charged and in this instance unjustly since the feature was emphasized by Sargent that the Governor had never been able to organize the militia of the territory, notwithstanding his law imposing heavy fines on those who refused his appointments. The exorbitant fees were denounced—$5 for a passport to return to the United States outside of Mississippi Territory; $8 for a marriage license; $8 for a tavern license. These were considerably higher than the same fees charged in the Northwestern Territory.

The documents relating to the Mississippi complications were, on January 13, 1800, referred to a committee of the house of which William Charles Cole Claiborne, a young representative from Tennessee, was chairman. Without following the measure through Congress in all its details, the final result was that on March 3d the committee of the whole house reported against the resolution that there did not "appear cause for further proceedings on the matters of complaint for maladministration against Winthrop Sargent"; but as the most objectionable laws of the Code, including those relating to treason and arson and establishing exorbitant fees, were emasculated and the Territory

was advanced to the second grade of government, the Governor's opponents were satisfied and forebore to conduct a campaign of persecution.

FIRST TERRITORIAL ELECTION

Under an act of Congress approved May 10, 1800, provision was made for the erection of a second grade Territory characterized by a popular legislature. Under it Adams County was entitled to four representatives, Pickering to four, and the Tombigbee and Tensaw settlements to one representative. The election was fixed for the fourth Monday in July, the meeting of the legislature for the fourth Monday in Setember, and the place, Natchez.

Section 10, of the act of May 10, 1800, authorized the appointment of commissioners to compromise and settle the Georgia claims to the Mississippi Territory. This was accomplished two years later by the "articles of session and agreement" entered into between the commissioners appointed for the purpose by the United States and Georgia.

On the 4th of June, 1800, Governor Sargent proclaimed the creation of a third county named Washington, bounded by the Pearl River on the west and the territorial limits on the north, east and south. The bulk of old Washington County is therefore now within the state of Alabama.

On the same day the Governor gave notice of the election to be held in July and appointed the sheriffs of the three counties to preside over it. On account of the residence and property qualifications required by the ordinance of 1787 the total vote in Adams County was only 142, Pickering, 92, and Washington, 72. The polling place for Washington County was so distant that the inhabitants were not generally notified of the election, which was therefore declared void. The returns as sent by the sheriffs to Natchez were not favorable to the administration of Governor Sargent.

Messrs. Cato West, Thomas M. Green, John Burnet, Thomas Calvet, Henry Hunter and James Hoggett were pronounced by the Governor as "duly elected representatives" and asked to assemble at the Government House, Natchez, on September 22d. Anthony Hutchins, William Dunbar and others appear to have been elected on the face of the returns, but the Governor questioned their

TWO GREAT MEN LIE SIDE BY SIDE

Tombs of Winthrop Sargent and Seargent S. Prentiss in the Gloucester burial grounds near Natchez. The shaft marks the tomb of Governor Sargent. The large tomb is that of Mr. Prentiss.

"WINDY HILL MANOR," NATCHEZ, WHERE AARON BURR AWAITED TRIAL FOR TREASON IN 1807

eligibility, although they were asked to assemble and present their cases. On the date set the four Pickering County representatives were sworn in by Governor Sargent; they were Messrs. West, Green, Burnet and Calvet. There was no representative from Washington County, and the returns from Adams County were incomplete.

Matters were so complicated as a result of the election that the people sent a petition to Congress, signed by several hundred citizens, asking to be returned to their former grade of government; but the petition, dated December 6, 1800, was refused by the federal legislators. This petition was very gratifying to Governor Sargent, and in sending it to the speaker of the house and president of the senate, the chief territorial executive represented it as coming from a "very considerable proportion of the respectable inhabitants of the Territory" and that there was strong evidence that "the former petition praying for a change of government had been surreptitiously obtained."

THE GOVERNMENT LEFT WITH SECRETARY STEELE

Early in April, 1801, after news had been received in Natchez of the election of Thomas Jefferson to succeed John Adams to the presidency, Governor Sargent obtained a promised leave of absence to defend his administration before Congress and seek a vindication by reappointment. He went by way of New Orleans immediately to Washington, but his mission was not accomplished, as William C. C. Claiborne, with a change of national administration was commissioned Governor of the Mississippi Territory on the 25th of May, 1801. President Jefferson, through Secretary Madison, sent Governor Sargent the following rather delicately worded notification of his displacement:

"That from the various and some of them delicate considerations which mingled themselves with the designation of the individual for the government of Mississippi Territory, it was expedient, in his judgment, to fill the station with another than himself, whose administration, with whatever meritorious intentions conducted, had not been so fortunate as to secure the general harmony and the mutual attachment between the people and the public functionaries so particularly necessary for the prosperity and happiness of an infant establishment."

The ex-Governor, who had married into a prominent family

of the Territory, after visiting his old home in Massachusetts, returned to Adams County, Mississippi, and passed the remainder of his life as a prosperous planter and gentleman of means on his estate of Gloucester near Natchez. During his public service in the Territory his health was infirm, which proved a great handicap in the administration of affairs. While his aims and purposes were such as, properly directed, would have insured the prosperity of any people, his natural disposition was austere and uncompromising. For lack of judicial assistance he was often overburdened. With insufficient means at his disposal his administration suffered in comparison with the rather lax and liberal policies that had been pursued by the Spanish governors in dealing with both the whites and the Indians. The people, long used to much self assertion and indifference to Spanish law, were not quite ready for discipline such as he endeavored to impose and enforce.

From Governor Sargent's departure from Natchez on April 3, 1801, until November 23d of that year, when Governor Claiborne reached the territorial capital, John Steele, the secretary, was the acting executive. During most of his official service he was in feeble health—although, says one of his biographers, "his failure to read and approve the laws of the first general assembly of 1801, in special session, may have been due partly to other reasons than health." It is probable that the responsibility was too great and that he preferred to await the coming of the permanent governor. In fact, little occurred of special importance during the interval. Governor Claiborne arrived in November, 1801, and Steele's term as secretary expired May 7, 1802.

John Steele continued to reside in Mississippi on his plantation known as Belvidere and he was subsequently honored by public preferment. His last prominent appearance in public life was as a member of the constitutional convention of 1817 which gave political birth to the State of Mississippi.

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CHAPTER X

ADMINISTRATION OF W. C. C. CLAIBORNE

GOVERNOR CLAIBORNE ARRIVES AT NATCHEZ—FIRST GENERAL ASSEMBLY, SECOND SESSION—COUNTY ORGANIZATION—BREAKING UP OF THE MASON-HARP ROBBER BAND—TERRITORIAL CAPITAL MOVED TO WASHINGTON—JEFFERSON COLLEGE FOUNDED—FORT DEARBORN AND DEFENCE—DEATH OF FIRST TERRITORIAL DELEGATE—SIFTING MISSISSIPPI LAND CLAIMS—MADISON DEFINES SCOPE OF INQUIRY—THE SECOND GENERAL ASSEMBLY CONVENES—TERRITORIAL LAND OFFICES OPENED—ELECTION OF TERRITORIAL DELEGATE—MUNICIPAL INCORPORATION OF NATCHEZ—SECOND SESSION, SECOND GENERAL ASSEMBLY—TAKING OVER AN EMPIRE—ADMINISTRATION OF CATO WEST—EXTENSION OF THE TERRITORY.

William Charles Cole Claiborne, who succeeded Acting Governor Steele as executive head of the Mississippi Territory, was only twenty-six years of age when he received his appointment from President Thomas Jefferson. Possessing by heritage the high traits and characteristics of a distinguished Virginia family, he had early earned the admiration and support of such men as President John Adams and of John Sevier of Tennessee. At the special advice of Jefferson and Sevier, he studied law, and by the time he was twenty-one had attained such standing at the Tennessee bar that in 1796 he was sent to Knoxville as a delegate to the first constitutional convention of that State. On the formation of the State government he was appointed by Governor Sevier as a judge of the Supreme Court and in November, 1797, took his seat in Congress. He was reelected to the sixth Congress, vigorously supported Jefferson for President, and on May 25, 1801, was appointed by the President to the governorship of Mississippi Territory. A short time before receiving his appointment he had been married to Eliza W. Lewis, of Nashville, Tennessee.

GOVERNOR CLAIBORNE ARRIVES AT NATCHEZ

Mr. Claiborne acknowledged the receipt of his commission from Secretary of State James Madison on August 2, 1801. The

William C. C. Claiborne

From an oil portrait in the Mississippi Hall of Fame

latter was requested to inform the President that the appointee would make his arrangements for a change of residence from Nashville with "all practicable dispatch," but feared these could not be completed before the 1st of October. In October the Governor conveyed the following items of news to the Secretary of State:

"I am informed that the Territorial Assembly was convened by Secretary Steele on the third Monday of July last and continued in session about five weeks. They transacted but little business, and what they did, is left incomplete for want of the Governor's sanction, Colonel Steele having been too much indisposed to attend to his official duties. On the 16th of September, Colonel Steele was still ill and his life is despaired of.

"In a letter which I have received from Judge Lewis, dated near Natchez, September 3d, 1801, he says: 'It seems to be confirmed that Spain has actually agreed to give up Louisiana to France.' I know not what grounds there are for this report, but it has prevailed in this state for several months and obtained general belief."

Governor Claiborne left Nashville by boat on the 8th of October, but on account of the low stage of water in the Cumberland, Ohio and Mississippi rivers, with the high winds, the passage was slow and often dangerous, so that he did not arrive at Natchez until November 23, 1801. The valley of the lower Mississippi appeared to him to be "pretty well adapted to cultivation," but "greatly forsaken or rather neglected by man." He mentions the fact that on the western or Spanish shore there were three little settlements between the mouth of the Ohio and Fort Concord opposite Natchez. Seventy miles below the mouth of the Ohio was a Spanish village named New Madrid, where he was politely received by the commandant and saw the remains of a fort recently destroyed by fire, and about sixty buildings. He also learned of an American settlement a few miles away, thirty-five miles below another small village and one hundred and fifty miles south, opposite the lower Chickasaw bluff on the Spanish side of the river was a small blockhouse garrisoned by a sergeant and twelve men. These were the only signs of white civilization on the western shores of the Mississippi from the mouth of the Ohio to Natchez. The eastern or American side of the Mississippi was still more desolate. At Chickasaw Bluffs, now the City of Mem-

phis, was the garrison at Fort Pickering, commanded by Captain Richard Sparks, which had rendered valuable protection to western commerce. The only other "improvement" was at Walnut Hills—old Fort Nogales, later Fort McHenry, and abandoned as a military post about this time.

Governor Claiborne also notes in his letter to James Madison, the Secretary of State, that Colonel Steele is still too much indisposed to attend to business or to give him necessary information "as to the state of the Territory"; that a pamphlet was in circulation written by ex-Governor Sargent assailing the conduct of the President and his own character. But he hopes and believes that his administration will be supported.

FIRST GENERAL ASSEMBLY, SECOND SESSION

In this belief the Governor was not deceived. His courteous manner, yet positive character, at once appealed to the best and strongest men of the Territory. He was tactful, patient, well-balanced and charitable. Although the first session of the General Assembly which met during Secretary Steele's administration was barren of result, in announcing the meeting of the assembly which met December 1, 1801, and which he addressed, the new Governor wrote Mr. Madison:

"From the little knowledge I have of this assembly I will hazard an opinion that it is composed of honest men much attached to the United States and devoted to the interests of this Territory. For want of legislative experience their early proceedings will, no doubt, be marked with some irregularities, which I trust a little time and attention will greatly remedy. I have the happiness to acquaint you that all opposition to the Second Grade of Government has (apparently) ceased, and that the citizens generally seem contented with their political prospects."

Governor Claiborne's conciliatory address to the two houses of the Assembly—the Legislative Council and the House of Representatives—created a most favorable impression. Especial emphasis was placed upon the necessity of improving the judiciary system and organizing the militia. The assembly returned the customary courteous reply to the Governor's address, through Henry Hunter, speaker of the House of Representatives, and John Ellis, president of the Council.

The General Assembly adjourned until December 14th, but

as high water prevented a quorum of its members from attending at that time Governor Claiborne issued a proclamation for it to assemble at the government house Natchez, on the 19th of the month. The legislature at once commenced to reform the judiciary system, and the judiciary; for, as the Governor intimated, it was likely that the assembly would be inclined to legislate against men rather than upon principle. Somewhat later in January, while the legislature was still in session, he admitted to Madison that he had been unable to reconcile personal differences. In something of Sargent's manner he lamented the deficiency of law knowledge among the judges of the Supreme Court. Chief Justice Seth Lewis, it was true, was a man of talents and a respectable lawyer, but Judge Bruin was brought up as a merchant and "Judge Tilton, it is said, some years ago read law twelve or eighteen months, but was never in the practice."

After remaining in session until the 2nd of February, 1802, however, the legislature repealed most of the laws passed by the Governor and judges under the first grade of government, and adopted substantially a new code. A law to prohibit the importation of male slaves above the age of sixteen into the Territory passed the House of Representatives, but was rejected in the Council. On this point the Governor comments:

"This kind of population is becoming alarming and will, in all probability, sooner or later prove a source of much distress. The culture of cotton is so lucrative and personal labor so valuable that common negro fellows will generally command $500 per head, and if such encouragement should long be afforded to the settlers of negroes, this Territory must soon be overrun by the most abandoned of that unfortunate race."

Besides creating a new code of laws, however imperfect, the second legislative session of 1801-02 passed a number of measures by which the territory was divided into five counties. On January 11, 1802, the name of the Pickering County of 1799 was changed to Jefferson County. Then on the 27th of the month Jefferson County was divided by a line which varied little from the boundary between the present counties of Jefferson and Claiborne extended eastward to the western bank of Pearl River. North of the dividing line was Claiborne County, named in honor of the new Governor. Later, its seat of justice was located at Gibson's Landing, on the south fork of Bayou Pierre.

On the 30th of January another act of the General Assembly divided Adams County by an imaginary line which ran from the mouth of Homochitto River up said stream to Richard's Ferry and thence east to the western boundary of Washington County, or Pearl River; all south of the dividing line was erected into the county of Wilkinson.

Governor Claiborne notes that the laws passed by the legislature which adjourned on February 2, 1802, were not voluminous, and added: "for the want of a good printer in this town the printing and publishing will probably be attended with great delay, trouble and expense. The people already complain that they are not informed of their laws. The fact is so, but it is not in my power to remedy the misfortune. The only printer in this territory (Marschalk appears to have been unknown to the Governor)—and, by the way, he is a novice in his profession, is employed upon high wages to print the laws. The work is commenced, but for the want of types, a good press and necessary assistance, it will not be completed for several months."

All was not peace and harmony in Mississippi politics when the session closed. It may be that Sargent's return to Natchez had nothing to do with the eruption, but he was a man unafraid to express himself and certain it is he had not been long at home before a bitter fight was in progress between the legislature and Chief Justice Lewis, with threats of bringing impeachment proceedings against him.

COUNTY ORGANIZATION

During the first three months of 1802 Governor Claiborne organized the five counties into which the territory had been divided, both as to their civil and military officers. His appointments included justices of the peace and justices of the county court, sheriffs, treasurers, clerks of the county and district courts, attorneys general and masters in equity. They were all representative men, substantial planters and prominent merchants and mechanics, including James Terrell, the official printer, who was appointed a justice of the peace for Adams County. Abner Green, of Adams County, was appointed treasurer general for the Territory. He was the same gentleman who had been appointed by the Governor of Georgia, register of probates for the county of Bourbon, which was to have absorbed Mississippi. Cato West

was a justice for Jefferson County and Henry Hunter, sheriff of Wilkinson County. Samuel Postlethwait, the leading merchant of Natchez at the time and a son-in-law of William Dunbar, had been appointed captain of artillery in Natchez.

BREAKING UP OF THE MASON-HARP ROBBER BAND

When Governor Claiborne came into Mississippi Territory, the Natchez Trail along which came so much valuable merchandise overland from Tennessee was infested by a band of robbers led by Samuel Mason, his son John, and a desperate Kentuckian named Wiley Harp. Their rendezvous was in the canebrakes near Walnut Hills. The Governor wrote to Daniel Burnet, in command of the Claiborne County Militia, yet unorganized, to take fifteen or twenty volunteers, proceed to the Walnut Hills and scour the country for Mason and his party. He wrote to the same effect to Lieutenant S. Rennick, commanding a detachment of United States troops at Grindstone Ford, in Claiborne County. The Governor also offered a reward of $2,000 for the capture of the gang. There are several stories as to its final dispersal. The following is the one which is generally accepted, because it is perhaps more comfortable to believe that all bad characters get their deserts:

Harp, soon after the Governor offered his reward, separated from the band and went towards Kentucky, where he and his brother soon after paid the penalty of a long career of atrocities.

Records of the day state that Mason and his gang one day robbed a traveler, and took from him a copy of the Governor's proclamation. He had had some words with two of his party and, on one occasion, when only the chief and these two men were in camp and he was asleep, they shot him, cut off his head and set out with it to claim the reward. Circuit court was in session at the old town of Greenville, Jefferson County, when they arrived. They went before the judge to make their affidavit and get a certificate to the Governor. The head was identified by parties who knew Mason well. However, just as the judge was on the point of making out a certificate, a traveler stepped into the court house and requested to have the two men arrested. He had alighted at the tavern, had repaired to the stable to see his horse attended to, and there saw the horses of the two men who had arrived just before him. He recognized the horses as belonging to parties who had robbed him and killed one of his companions

some two months previously on the Natchez Trail, and going into the court house he identified the two men. They were tried, convicted and executed at Greenville.

With the death of their chief and the departure of Harp, the gang dispersed and for many years the leaders of no more organized highway robberies entered and operated in the Mississippi Territory.

TERRITORIAL CAPITAL MOVED TO WASHINGTON

On February 1, 1802, the day before the legislature adjourned, the seat of territorial government was moved from Natchez to the little town of Washington, six miles east. In April the Governor addressed a letter to each member of the two houses of the Assembly requesting him to attend the legislature on Monday, the third of May, which had been called to convene at the new capital, which was destined to remain the seat of government for many years.

The Governor's address to the two houses of the Assembly called for a short session and promised the legislature to recommend only business which could not be postponed. He again called attention to the necessity for better printing of the laws and journals of the legislature which was progressing so slowly. The treasurer general was ordered to pay Terrell, the official printer, $140, and Edward Turner, a young lawyer, was called to assist in the promulgation of the official journals and laws by making a number of copies of the laws for $36. Mr. Turner afterward became a prominent public character—register of the land office, attorney general, circuit judge, chancellor and judge of the Supreme Court.

A further revision of the judicial department of the territory was recommended, especially in regard to the time of holding courts and the apportionment of the number of jurors to be returned to the superior courts of the different counties.

One of the pressing matters which had induced Governor Claiborne to call this special session of May was to take some precautionary measures against the introduction of small-pox from New Orleans. A quarantine would be distressing at that time of the year when the people were so generally engaged in agricultural pursuits. Attempts had been made to avail them-

selves of "that valuable discovery in medical science, the vaccine, or cow-pox," but on account of defective virus it had been unsuccessful. The Governor suggested the passage of a general health law. A quarantine law had been passed under the Sargent administration, but its provisions were found to be too imperfect to "remain as a permanent regulation." A small-pox camp was afterward established by order of Claiborne and placed in charge of Drs. David and William Lattimore. Their report shows that vaccination was undergone by about two-thirds of the people of the district, and in no recorded case had it "produced mortality." The report adds: "it is not easy to say what might have been the fate of this menaced country without the advantages of this invaluable preventative." It may be added that it was William Dunbar who most earnestly suggested to the Governor the general application of the vaccine preventive.

The special legislature was further urged by Governor Claiborne to consider a system of public education and the necessity for the establishment of literary institutions; the founding of a "seminary of learning, established at some situation central to the population of the territory, fostered by the government and placed under the direction of a well selected Board of Trustees."

JEFFERSON COLLEGE FOUNDED

Governor Claiborne's suggestion as to the founding of an institution of learning representative of the intelligence and aspirations of the people of the Territory was soon to take form in practical measures. On the 13th of May, 1802, the legislature passed an act of incorporation to establish a college in the Mississippi Territory. It was named Jefferson College in honor of the President of the United States.

In the meantime a literary society had been organized, and subsequently incorporated, under the name of the Mississippi Society for the Acquirement and Dissemination of Useful Knowledge. It included the Governor, secretary, judges and several members of the legislature, altogether eighteen members.

Under its charter, Jefferson College was placed under the control of twenty-five trustees, including several members of the Mississippi Society. They were authorized to receive for its support the proceeds of a lottery not to exceed $10,000 and "to collect donations from citizens of the Territory and elsewhere." The

charter also required a book to be kept, in which should be inscribed the "names of the donors, with their donations annexed" which book "should be preserved in the archives of the college in order that posterity might know who were the benefactors of the institution."

The first of the donors to the foundation of Jefferson College were John and James Foster and Randall Gibson, who made the "donation of a parcel of land, including a spring commonly called Ellicott's Spring and 'situated in the vicinage of the town of Washington.'" On the 11th of November following, this tract of land was legally declared to be the "permanent site of Jefferson College." On January 3, 1803, the trustees met at Washington, the territorial capital, and organized by the election of the following officers: William C. C. Claiborne, president; William Dunbar, vice president; Felix Hughes, secretary; Cato West, treasurer.

Thus was founded one of the institutions which made Washington, the territorial capital, the center of so much culture and intellectual activity for fifteen or sixteen years.

FORT DEARBORN AND DEFENCE

The erection of Fort Dearborn near the town of Washington and the establishment of a regular army post there, made the capital also the military center of the Territory, as well as its educational, social and political hub. Its establishment was in line with Governor Claiborne's efforts to place the Territory in a condition of military preparedness by organizing the State troops, coöperating with the United States army, establishing posts both for Indian trade and interior defence, and coördinating all the forces at his command to conduct either a campaign of offense or defence against possible hostilities with France or Spain. The establishment of Fort Dearborn was urged as a military center for the storing of arms and ammunition for both the militia and the United States army and for its wholesome effect upon the Indians. In April, 1802, the governor was informed through Henry Dearborn, Secretary of War, that President Jefferson favored his plan and suggested the sending of a company of regular troops from Fort Adams to the site of the contemplated post.

Governor Claiborne therefore arranged for the building of a small blockhouse about 400 yards from his house and the same

JEFFERSON COLLEGE, WASHINGTON.

distance from the town of Washington. In consultation with Captain Sparks, the commanding officer at Fort Adams, an eligible site was selected on high ground, and a detachment of his soldiers erected the blockhouse for the reception of rifles which were already being received from New Orleans for the arming of the militia. The land it occupied had been donated by Joseph Calvit in July, 1802. As the complications with Spain over the right of deposit of American goods at New Orleans increased in perplexity and danger the importance of Fort Dearborn became more evident and the military enterprise was expanded. In February of the following year the government bought forty-three acres for the military reservation and in the following month work was commenced on the fort according to plans furnished by the Secretary of War. Fort Dearborn and Jefferson College were the outstanding institutions of the territorial capital.

DEATH OF THE FIRST TERRITORIAL DELEGATE

Narsworthy Hunter was elected first delegate to Congress from the Territory of Mississippi by the regular general assembly which convened at Natchez on December 1, 1801, and continued to serve in the national House of Representatives until his death, March 1, 1802. At the special session in May his successor was elected in the person of Colonel Thomas M. Green, son of Colonel Thomas Green, and a member of the family so famous in the public affairs of Mississippi. Cato West was his son-in-law; his son, Abner Green, was territorial treasurer and a son-in-law of Colonel Hutchins. So many prominent Mississippians intermarried with the Green, West and Hutchins families that these virtually controlled the early politics of the Territory.

Colonel John Steele's commission as Secretary of the Territory expired on May 7, 1802, and in noting the fact to the Secretary of State in August Governor Claiborne says that "since that time he has not considered himself bound to transact any public business." He was succeeded by Colonel Cato West, who was not confirmed by the Senate until March 3, 1803.

In the same letter to Washington, the Governor mentions the fact of Judge Tilton's departure for Liverpool "on some commercial business," without taking the trouble to resign his judgeship, and, assuming that there was a vacancy on the Supreme

bench, suggested that David Ker be appointed as Judge Tilton's successor. The suggested appointee was the founder of the University of North Carolina, had established a school for girls at Natchez, was a trustee of Jefferson College, an able lawyer and an amiable and cultured gentleman. Judge Ker's commission arrived in December, 1802, when he entered upon the duties of his office, continuing them until his death in 1805.

SIFTING MISSISSIPPI LAND CLAIMS

On the 24th of April, 1802, the commissioners appointed by the United States and Georgia entered into articles of cession and agreement by which the state vested all its lands claimed south of Tennessee and west to the Mississippi River to the Federal government in consideration of the sum of $1,250,000 to be paid by the United States to Georgia out of the first net proceeds of land lying in the ceded territory. Georgia recognized as legal all grants of land regularly made and fully executed by the authorities of England, Spain or the so-called county of Bourbon. The territory thus ceded was to become a state, and be admitted into the Union, under the provisions of the ordinance of 1787. The compact was signed on the part of the United States by James Madison, Albert Gallatin and Levi Lincoln, and on the part of Georgia by James Jackson, Abraham Baldwin and John Milledge, commissioners. Six months were given both the legislature of Georgia and the Congress of the United States to withhold their final assent to the agreement. As the legislature ratified the agreement on the 16th of June, 1802, the Federal government, through the state department and Governor Claiborne, proceeded to gather data on Mississippi land claims for the information of the United States commissioners.

The first step came as a request from Secretary Madison to Governor Claiborne and brings forth the following comment from J. F. H. Claiborne, the author:

"This was a heavy task indeed to impose on one who had not been eight months in the country and who, during that time, was charged with the administration of a new territory distracted by party feuds and with the management of two powerful tribes of Indians. It was a task which the commissioners should properly have executed, and which they were liberally paid for. Yet while they loitered in their places of ease, the duty was demanded

of a hard working officer, without the slightest hint of compensation. Many functionaries would have slurred this exaction over, but the conscientious Governor grappled to it."

MADISON DEFINES SCOPE OF INQUIRY

James Madison, the head of the Department of State, fully realized the task he was imposing upon the Governor. That its burden may be understood, the letter of the Federal to the State Executive is reproduced:

"Of the claims to be made," writes the Secretary of State to Governor Claiborne, on July 26, 1802, "a part is defined and recognized in the second article of the Agreement under the head of Grants legally executed to actual settlers within the territory ceded to the United States prior to the 27th of October, 1795, by the former British Government of West Florida or by the Government of Spain; and under the head of Claims derived from any actual survey or settlement made under the law of Georgia passed February 7, 1785, entitled 'An Act for laying out a District situate on the river Mississippi and within the bounds of the State into a County to be called Bourbon.'

"To enable the commissioners to make the proper report to Congress on this part of the subject you are requested to furnish them with the best information you can obtain; first with respect to the extent of territory both on the Mississippi and the Mobile which has been relinquished by the Indians; secondly with respect to the claims recognized by the second article of the agreement with Georgia. * * * Should it be found impossible to render the information on these points complete, you will notwithstanding be pleased to forward the best you can collect.

"The other claims to be inquired into and which, tho' not recognized, fall within the report to be made to Congress, are first, and principally, such as are grounded on alleged grants of Georgia subsequent to the Bourbon County Act. With respect to these claims, it is not desired that you should make any public call for information; but you will oblige the commissioners by enquiring and communicating what or whether any steps have been taken in behalf of the claiming companies towards settling, selling out or surveying any part of the land; and particularly whether any tract is now actually occupied by any of these claimants.

Secondly, claims, if any, derived under the French government previous to the peace of 1763. Thirdly, claims derived under the British and Spanish governments previous to the treaty of 1795, but unaccompanied by actual settlement at the date of the treaty. Fourthly, claims derived under the Spanish Government by grants made subsequent to the Spanish treaty of 1795. Fifthly, claims founded on the third section of the Bourbon County Act of Georgia. * * * It is proper that the claimants in these cases should be aware that their claims not being included in the guaranty of the second article of the compromise with Georgia, the consideration of them by Congress will be barred by the third article after the period of one year from the assent of Georgia to the instruments of compromise (June 16th). * * *

"Should there be claims of any sort within the territory which have escaped the above enumerations you will oblige the commissioners by adding a particular account of them, as well as by communicating your estimates of the general extent of territory not claimed by the Indians, of the aggregate quantity of land covered by claims under the second article of the compromise, and the like aggregate of all other claims.

"It need not be suggested to you that where records of claims exist, suitable extracts from them will be proper, nor that it will be expedient to complete and transmit your communications with as little delay as possible.

"It only remains for me to ask your excuse for the heavy task which is imposed on you," etc., etc.

Two weeks after receiving his instructions from the State Department, Governor Claiborne issued a proclamation to all "persons claiming lands within the Mississippi Territory," notifying them to file particulars of their claims with the clerks of the county courts by the first of the succeedng November, and giving them the required data by which to make intelligent returns. On the 5th of November the Governor sent on to Secretary Madison all the papers relating to the grants and claims covered by the agreement with Georgia which had been received by the various county clerks, as well as those not recognized by that instrument. The report is very voluminous and may be consulted by those interested in the details, or any portion of them, in *The Official Letter Books of W. C. C. Claiborne*, Vol. I, and in *The Executive Journal of Governor William C. C. Claiborne*, Vol. I,

both issued by the Mississippi Department of Archives and History.

One item of information in the mass supplied by the able and industrious Governor may be extracted from his communication of November 5, 1802, as follows:

"With respect to the extent of territory both on the Mississippi and Mobile which has been relinquished by the Indians,—Until the boundary line between the United States and the Choctaw Indians shall have been retraced and plainly marked (a work which I understand will shortly be executed under the direction of General Wilkinson) the quantity of land to which the Indian claim has been extinguished cannot be correctly ascertained, but from the best information in my possession I do conjecture that there may be on the Mississippi 2,500 square miles, or about 1,600,000 acres, which comprehend the counties of Jefferson, Adams, Wilkinson and Claiborne. On the Mobile, I do also conjecture, without pretending to accuracy, there may be about 4,600 square miles, or nearly 3,000,000 acres, which compose the County of Washington." The fact may be added to the foregoing that General Wilkinson informed Governor Claiborne that he had completed the survey of the Choctaw boundary on January 22, 1803.

As General Wilkinson had concluded treaties with the Chickasaws and Choctaws, in the fall and winter of 1801, by which citizens of the United States were allowed to construct a wagon road along the old Natchez Trail through their lands connecting the Miró district of Tennessee with the Natchez District, and that in the summer of the following year a permanent highway was surveyed from the southern boundary to Natchez, it is evident that some progress had been made toward the General's aim "for free communication to the sea for succor, or retreat in case of exigency." The subsequent demarkation of the Choctaw lands, with the building of Fort Dearborn, was another stabilizing event in Mississippi affairs.

THE SECOND GENERAL ASSEMBLY

As the time for convening the first session of the second regular assembly approached, the people of the Territory were thrown into a state of great indignation and excitement over the closing of the port of New Orleans to American goods. In July, 1802, the Spanish king had issued a decree refusing any land grant to

an American citizen and in the following October, Morales, the intendant at New Orleans, who claimed that his department was independent of the home government, issued his proclamation suspending the right of deposit at New Orleans. The entire West and the valley of the Mississippi were aroused, and war with Spain would probably have resulted had the information not been generally spread and credited that Louisiana was about to pass to the French. In a letter to Secretary of War Dearborn, dated November 16, 1802, Governor Claiborne gives what he claims to be the cause for the leakage of this information regarding a high affair of state. "Late accounts from New Orleans state that the French General Victor, with 3,000 men, is expected in three or four weeks, and that 7,000 will follow in a month or two; also, that the Governor of Louisiana has received orders to deliver up the province. It is said that the secret was told by the Governor to two or three ladies of his acquaintance, who have communicated it to two or three others."

As to the right of deposit at New Orleans, Governor Claiborne addressed a letter of protest to the governor-general of Louisiana, but was politely assured that he had no control over the intendant's department which was responsible directly to the king. His Catholic Majesty thought better of the matter, as it was soon discovered that the people of New Orleans had "put their own noses out of joint" by barring out various food products which they had been receiving from western markets and had learned to appreciate. The intendant's interdiction was disapproved by the king and by his command the right of deposit was restored on March 3, 1803.

When the legislature convened in December, 1802, the blockade of western products at New Orleans was the absorbing topic of discussion in Mississippi, in Washington and in Paris. An invasion of New Orleans was even suggested by the Governor, and President Jefferson urged the union of Great Britain and the United States in case France, under the great Napoleon, should occupy New Orleans and Louisiana. In his address to the legislature delivered on the 9th of December, 1802, Governor Claiborne touches upon the flaming topic thus mildly: "The anxious solicitude of the people of this Territory occasioned by the difficulties under which our commerce is placed in consequence of the Spanish

Government withholding from citizens of the United States the privilege of depositing their merchandise and effects at the port of New Orleans, has not escaped my observation, and it is with regret I inform you that the last advices are unfavorable to the prospect of immediate relief. We may, however, rest in confidence that on this occasion such measures will be adopted by the executive and legislature of United America to promote and protect the general interests of our common country, as wisdom shall dictate."

Improvement was noted in the organization and discipline of the militia, but the system was still defective, and the "dangers to which our country may be subjected" were presented as causes for improvement. The Governor suggested a tax on marriage licenses and a land donation from Congress as sources of support for Jefferson College; also a law for the inspection of cotton; improvement in the condition of the court houses and jails of the territory and the passage of an act to facilitate the mode of collecting and disbursing public taxes.

TERRITORIAL LAND OFFICES OPENED

On March 3, 1803, less than a year after the promulgation of the cession and agreement adopted by the United States and Georgia, by which the western lands of that state were ceded to the Federal government, Congress passed a measure, regulating the grants of land south of the State of Tennessee which thus fell under its control. Through the thorough and able investigations of Governor Claiborne, under the direction of the Department of State, the thousands of claims given under French, Spanish, English, Georgian and American jurisdiction, or alleged authority, had been filed with the government, and, although incomplete, had laid the basis for an intelligent handling of territorial lands now acknowledged to be a portion of the domain of the United States. The act of March, 1803, was the first general land measures enacted by the Congress of the United States. The act provided that "for the disposal of the lands of the United States within the Mississippi Territory two land offices shall be established in the same; one at such place in the county of Adams as shall be designated by the President of the United States for the lands lying west of the Pearl River sometimes called Half-way River; and one at such place in the county of Washington as shall be designated by the President of the United States for the lands

lying east of Pearl River, and for each of the said offices a register and receiver of public moneys shall be appointed." All regulations were based on the ordinance of 1787 for the government of the Northwestern Territory. Provision was also made for the appointment of a surveyor general at the head of a corps of surveyors, who were to survey the lands south of Tennessee to which the Indian title was extinguished and lay them out into townships. The plots of the lands surveyed were to be transmitted to the registers of the land offices and copies of them to the secretary of the treasury.

The act reserved the sixteenth section in each township for the establishment and support of public schools. An endowment of thirty-six sections, as well as some land at Natchez, was set aside for Jefferson College. But the fund for the common schools amounting to 174,500 acres and the endowment of more than 23,000 acres for Jefferson College proved far more magnificent in the wording of the act than in the realization of the future.

The surveyor general's office for the Mississippi Territory was established at Washington, the capital, and Isaac Briggs was the first incumbent. Soon afterward he commenced his work under the provisions of the act.

The land office west of Pearl River was organized on the 9th of July, 1803, and continued open for the reception of claims until the 3d of July, 1807. Edward Turner was the first register of the western land office, and Thomas Rodney and Robert Williams, commissioners of claims. The board convened at Washington on the 1st of December, 1803.

The office for the district east of Pearl River was established at Fort Stoddert, on the Mobile River, with Joseph Chambers as register and Ephraim Kirby and Robert C. Nicholas as commissioners. The board first convened for business on February 2, 1804, and remained open for the presentation of claims until September 21, 1805.

ELECTION OF TERRITORIAL DELEGATE

On March 12, 1803, the two houses of the assembly elected Dr. William Lattimore as a delegate to Congress for two years, to succeed Thomas M. Green. He was a talented young physician who had been a citizen of the Territory for only about two years. His brother, David, also a physician, was a member of the Terri-

torial Council. In communicating the fact of the election of William Lattimore to Congress, Governor Claiborne writes of him as "a young man of promising talents." Dr. Lattimore was serving his third term in Congress when Mississippi was admitted to the Union as a State and lost his popularity when, in the division of the Territory he proposed to surrender Mobile to Alabama.

MUNICIPAL INCORPORATION OF NATCHEZ

One of the last acts of the Legislature, which adjourned March 12, 1803, was to incorporate the town of Natchez, which had obtained standing as an important commercial point for western people, as "The Mayor, Aldermen and Assistants of the City of Natchez." The municipal authorities consisted chiefly of a mayor, recorder, three aldermen, six assistants, a clerk and a marshal. All except the marshal and six assistants exercised the authority of justices of the peace. Citizens and freeholders might elect the six assistants, the city treasurer and the assessor and collector. The Governor appointed the mayor, the recorder, the three aldermen and the marshal, all of whom were subject to his removal. Monette writes of the municipal court as follows:

"The powers of the Mayor's Court were extensive and summary. The mayor might hold his court for the hearing of civil cases three days in every month, with a jury empaneled, if desired by either party. Cases were to be adjudicated and judgment enforced in a summary manner. The jurisdiction extended to all civil cases in the city wherein the subject of controversy did not exceed $100 in value, and in all criminal cases in which the penalty did not exceed one month of imprisonment, fifty dollars fine, or thirty-nine lashes on the bare back.

"Such were some of the powers and provisions of this charter which went into operation early in the summer of 1803. If it leaned to the despotism of monarchy, it resulted from the nature of the circumstances under which it was enacted. Such was the number of lawless adventurers and boatmen from the Ohio region who annually infested the city and habitually defied the municipal authorities that no man was safe from their depredations and assaults until the city authorities were clothed with ample powers for their punishment.

"Yet each session of the legislature conferred additional powers upon the municipal authorities until the year 1805, when the

mayor and aldermen, with the Common Council, were authorized to appoint the times for holding the Mayor's Court, the jurisdiction of which was also enlarged to the adjudication of all civil cases within the city, where the amount in controversy did not exceed five hundred dollars. The arbitrary proceedings of this court at length became so oppressive that public opinion was roused against it, it was denounced in a public meeting and finally made the object of a presentment by the grand jury as 'a public grievance.' "

SECOND SESSION OF THE SECOND GENERAL ASSEMBLY

At the preceding session of the General Assembly the time of meeting had been changed from December to October. An adjournment was therefore taken from March 12, to October 3, 1803. In the Mississippi archives are preserved the proceedings of both legislative bodies, the house journal being the original manuscript and that of the council printed, at Natchez, by Andrew Marschalk. John Ellis presided over the council and William Connor was speaker of the house, nine members of the assembly being present altogether.

The complications which threatened serious trouble with Spain in regard to the deposit of American goods at New Orleans had been temporarily adjusted to the satisfaction of western producers and merchants. But a greater event had occurred—one of the most outstanding of modern history—the transfer of Louisiana to United States by Napoleon the First Consul of France. Governor Claiborne referred to both events in his address to the General Assembly and the identification of himself while yet Governor of Mississippi with the transfer of an empire to the United States, with the territorial expansion of the Union to the Rocky Mountains, was a proud part for the young Mississippi Territory to play in national affairs.

TAKING OVER AN EMPIRE

Though not directly germane to a development of the history of Mississippi the story of the international maneuvers between Spain, France and the United States, by which Louisiana was first made over to Napoleon, who had already arranged to send an army of occupation to New Orleans makes an interesting page in history. While considering this plan, fearing that Great

Britain might grasp the prize, he transferred the historic domain of his country to the young western Republic. The treaty making the transfer was signed by the contracting parties on the 30th of April, 1803. In the meantime complete preparations had been made by the Spanish authorities to deliver Louisiana to the French army which was expected to arrive in command of General Victor. But Bonaparte instead of sending the army of occupation dispatched M. Laussat, as commissioner on the part of France, to formally receive Louisiana from Spain and transfer it, through the American commissioners, to the United States. The treaty carried commercial privileges extended by the United States to French and Spanish ships entering the ports of Louisiana for twelve years, during which period they were to pay no higher duties than citizens of the United States coming directly from the French and Spanish possessions.

On November 18, 1803, the day preceding the adjournment of the second Legislature, Governor Claiborne acknowledged from the Secretary of State his appointment, associated with General James Wilkinson, as a commissioner on the part of the United States to receive the Louisiana Purchase from the French commissioner, Laussat. The letter bearing his appointment from Washington was dated October 31st. At that time, American affairs were in the hands of the consul, Daniel Clark, nephew of the old settler and stanch public man, Colonel Daniel Clark, who had died several years before. But Daniel Clark, Jr., seems not to have been very conciliatory and quarreled with the French commissioner, to such an extent that the Governor was obliged to call him to account. As there was some uneasiness as to how the Spanish residents would receive the transfer, or whether they might not even resist it, Governor Claiborne, in the absence of General Wilkinson who was engaged in the survey of the Choctaw boundary, investigated the military strength of New Orleans through Mr. Clark and arranged for an escort of the volunteers, with such regulars as could be spared from Fort Adams. He hoped to have with him a force of five hundred men, as he believed that "the appearance of a respectable force with the commissioners would probably facilitate the negotiations and expedite the final delivery of the province to us." On December 1st, Governor Claiborne placed about one hundred volunteers aboard a schooner and sent them to Fort Adams, where General Wilkinson

was hourly expected from New Orleans. The volunteer force was afterward increased to about two hundred and formed the First Battalion of Mississippi troops from which sprung the famous First Mississippi Regiment of later years. The Governor organized the military escorts after some delay, the regular troops numbering 250.

It was not until the 17th of December, 1803, that the two American commissioners were in camp within two miles of New Orleans. After communicating with Prefect Laussat they visited his house with an escort of thirty of the Mississippi horse volunteers and on their approach were saluted with nineteen guns. Three days later the American troops marched into the walled city, saluted by twenty-one guns and formed upon the plaza (now Jackson square) facing the Louisiana militia. After Laussat had delivered the keys of the city and proclaimed the transfer of the vast province, the French tricolor dropped, the stars and stripes were raised, and the Natchez artillery, with its brass field piece, participated in the joyous roar of cannon from batteries and boats. Monette says that the Governor's "military escort consisted of a company of volunteer cavalry under the command of Captain Benjamin Farrar." This was drawn from the first troop ever formed in the Mississippi Territory, though Sargent had organized a first and second Legion.

Under his commission, "exercising the powers of governor general and intendant of the province of Louisiana," Governor Claiborne issued several proclamations on the day of the formal transfer of Louisiana (December 20, 1803). One was to the inhabitants generally taking over the temporary government of the province, under authority of the President of the United States and another (termed a circular) was sent to the governors of Ohio, Kentucky and Tennessee.

Thus the country was notified of an international transaction which concerned both hemispheres. It was a bold step in the severance of American from European affairs. For nearly a year Governor Claiborne used rare judgment and decision in formulating, developing and administering the temporary government of the province. The details of his accomplishments may be largely gleaned from his official letter books, published in six volumes by the Mississippi Department of Archives and History in 1917. In a letter to James Madison, written October 3, 1804, he acknowl-

edged his commission as Governor of the Territory of Orleans, which had been sent to him by the Secretary of State on the 30th of August. He continued to serve in that capacity until 1812, when he was elected Governor of the new State of Louisiana. After serving thus for two terms, he was elected to represent his state in the United States Senate on January 13, 1817. He died on November 3d of that year. Although only forty-two years old at the time of his death, since 1801 he had been the outstanding civil character in the public affairs of the southwest and we record with pride the fact that he was identified with the history of Mississippi during the initial period of his career.

ADMINISTRATION OF CATO WEST

When Governor Claiborne left Mississippi in the early part of December, 1803, he left the affairs of the Territory to be administered by Colonel Cato West, Secretary in succession to John Steele.

The election of 1804 for members of the General Assembly caused much dissatisfaction to the voters of Adams and Wilkinson counties. A memorial numerously signed was sent to Acting Governor West, which claimed: "The intrigues and the frauds practiced in the county of Adams on that occasion (the election) deprived the constitutional electors of Adams and Wilkinson counties of their representatives in the Legislature. The legitimate voters are completely disfranchised. A system corrupt in the extreme was openly planned and executed, derogatory to the citizens of the Territory, injurious to their interests and fraught with evils too heavy to be patiently endured." The fraud complained of was the giving of deeds to fifty acres of land to anybody who would agree to vote for certain candidates, by which means "upwards of one hundred persons who so far from having any interest had not even a residence in our territory; persons who were merely floating through the community to some other port" were permitted to vote. If such evasions of the Constitution be sanctioned, "a few wealthy freeholders with their cartloads of hired voters will usurp the power and give the laws to the Territory."

In August, 1804, the justices of the peace of Adams County represented to the acting governor that the jail of the county was not sufficient for the safe keeping of the prisoners confined, or

who might be confined. Natchez and Adams County evidently had a population not entirely free of desperate characters, the river affording an excellent means for their constant arrival from other points.

No record is available of the representatives elected in 1804, except that in the Adams district John Steele, Lyman Harding, Philander Smith and Ferdinand L. Claiborne were elected over Richard Butler, George Poindexter, Adam Tooly and Henry Hunter. Mr. Claiborne was a younger brother of Governor W. C. C. Claiborne and subsequently became prominent in military matters and in the War of 1812. Mr. Poindexter, as Congressman, Judge, Governor and United States Senator—as the great codifier of Mississippi's laws—was to become one of the strongest characters identified with its history.

Evidently the change in time for the meeting of the General Assembly from December to October did not meet with the approval of the legislators; for the third Legislature convened December 3, 1804, and on the following day listened to the address delivered by Colonel West. He said the act for the inspection of cotton was not yet in force, except at Natchez; the new public buildings for Adams County were in a state of forwardness, but the justices of the county court having declined to levy a tax to pay for them it would be well for the Legislature to come to the relief of the builders. "A marriage act is greatly wanted, the inconvenience to those citizens residing at a distance from the seat of the executive who have occasion for marriage license is considerable, for the mode by publication few are willing to resort to." Of this session Governor Williams, then a member of the land commission, wrote: "The present council was raised from a nomination made by nine representatives, two of whom were admitted and held their seats in consequence of the improper conduct of the sheriff against two who had a clear and considerable majority of the whole votes; that nomination when made was so influenced by party vote that principle was totally disregarded. To such a pitch did that assembly carry opposition to each other that it arose after a session of nearly four months without performing one of its most important and constitutional duties."

Cato West continued to act as Governor of the Mississippi Territory until May 10, 1805, when he was succeeded by Robert Williams, of North Carolina, who had been serving as commis-

sioner of the land office at Washington since December, 1803. The home people favored Colonel West, but Mr. Williams was of an influential family and received the appointment. Although the gubernatorial commission was dated March 1, 1805, he was not sworn into office until the arrival of the official document from Washington, on the 10th of May.

EXTENSION OF THE TERRITORY

It was during the West administration, in 1804, that Congress annexed the old Georgia cession to the territory. In other words, by congressional act of March 27, 1804, the tract of land lying north of the territorial boundary and south of Tennessee, between Georgia on the east and Louisiana on the west, became a part of the Mississippi Territory, which embraced all of Alabama and comprised in all one of the richest sections of the Union. Acting Governor West administered the affairs of a far greater country than was ruled by Governor Claiborne.

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CHAPTER XI

WILLIAMS AND MEAD ADMINISTRATIONS—1805-1809.

CESSION OF GREAT SOUTH MISSISSIPPI TRACT—VITAL DISTURBANCES OF 1805-7—THE KEMPER AFFAIR—GOVERNOR WILLIAMS LEAVES FOR NORTH CAROLINA—MEAD'S ADMINISTRATION—AARON BURR IN MISSISSIPPI—THE ARREST OF BURR—TOULMIN'S DIGEST OF LAWS—LAND OFFICES CLOSED—CHANGE IN THE SUFFRAGE LAWS—DISSOLVING THE LEGISLATURES—NATCHEZ IN 1808.

The administration of Robert Williams, third governor of the Mississippi Territory, officially extended from March 1, 1805, to the date of his resignation on March 3, 1809. He did not assume the active duties of the governorship until the 10th day of May, as he was still serving on the Land Commission and held both positions until 1807 when the work of the commission was concluded.

Colonel Cato West, the popular citizen and Jeffersonian Republican, who had been acting governor for the preceding two years and had given general satisfaction was, as has been stated, considered as the legitimate successor to Governor Claiborne. But national politics willed it otherwise and Williams, of a distinguished and influential North Carolina family, was accorded the honor. This immediately made a wide breach in home politics and parties, and eventually was the chief cause of the downfall of Governor Williams.

It happened also that Cowles Mead, a brilliant young Jeffersonian Republican, who had just lost a congressional contest in Georgia, was appointed secretary of the Mississippi Territory in January, 1806, and that in the following April Governor Williams returned to North Carolina to arrange for the removal of his family to the scene of his official duties. In his absence the territorial secretary became acting governor. Governor Williams did not return to Mississippi until January, 1807, and during that period, embracing nine months, events came to a head in connection with the Spanish complications and the Burr conspiracy

GOV. ROBERT WILLIAMS
From an oil portrait in the Mississippi Hall of Fame

which were conducted by Mead in the absence of Williams. When he did return to resume the governorship his autocratic methods with the assemblies and old-time leaders stirred and brought about the bitterest feelings, so much so that he obtained credit neither for good manners nor able management. From the statements of impartial authorities and an examination of his public papers, Governor Williams was a man of research, clear intellect and strong convictions, but lacking in self-control and consideration for others. Such an executive could not long endure in such young, stanch Democracies as were coming into existence on the rim of the young American Republic.

Although President Jefferson appointed Williams governor of Mississippi March 1, 1805, he was not sworn into office until his commission arrived on May 10th. As stated he had been a member of the Land Commission for the district west of the Pearl River since July, 1803. Judge Thomas Rodney, his associate on the commission, was a distinguished patriot and public man of Delaware. After a notable career on the bench and as a congressman of the Confederation he was sent to Mississipi both as a member of the Land Commission and as a territorial judge to succeed Justice Seth Lewis. He also continued on the Land Commission until its work was completed in 1807. It was Judge Rodney who swore the new governor into office.

Governor Williams appointed as members of his military staff, William Scott, colonel; William B. Shields, William Wooldridge and Dr. John F. Carmichael, majors. Major Shields was to become a prominent member of the State Bench and an honored political leader. He was a native of Delaware and his family was connected with the Bayards and the Rodneys of that state.

It was several weeks after being sworn into office before Governor Williams could secure the government archives. The Legislature which adjourned March 8, 1805, had passed an act regulating judicial practice which Acting Governor West construed as vacating the commissions of all the justices of the peace. West had the public records and documents and the great seal of the Territory, without which official business could not be transacted, at his residence in Jefferson County, sixteen miles from Washington. The Governor asked Colonel West, by messenger, when it would be convenient for him to transfer the public archives to the seat of government and requested him to bring the seal to Wash-

ington. West sent the seal, but retained the territorial records and documents.

To meet these complications, Governor Williams issued a proclamation calling a special session of the legislature for the first Monday in July. Before it met Attorney-General George Poindexter advised the Governor that Secretary West's construction of the judicial law did not comport with his opinion and that all the commissions of the justices should be renewed. The Governor asked the Assembly, when it convened, to elect a delegate to Congress, which the former session had failed to do; also to designate some place at which the public offices of the Territory could be concentrated, instead of being scattered about where the officers might reside. On July 25th he informed the Assembly that he could not carry out its regulations regarding the distribution of the laws because they were in the hands of the Secretary of the Mississippi Territory, and it would not be consistent for him to make further attempts to obtain them. The Legislature passed an act to adjust these matters and upon formal demand, under this law, Colonel West delivered to Governor Williams the public records and papers, on July 30, 1805. In the meantime, on June 1st, the register of the land office at Washington, Thomas H. Williams, a North Carolina lawyer, had been appointed secretary of the Territory.

CESSION OF GREAT SOUTH MISSISSIPPI TRACT

In June, 1805, negotiations were in active progress between United States commissioners appointed by President Jefferson and the Choctaw nation for the session of a tract of its lands in the southern part of the Mississippi Territory comprising nearly 4,400,000 acres. The great Indian trading house of Panton, Leslie & Company had claims against the Choctaws amounting to $46,000 and applied to the United States to have their debt liquidated in payments of Choctaw lands. The government refused to accede to that plan, but agreed to accept a cession of land from the Choctaw nation and liquidate the trader's debt in cash. The Indians would not cede their lands on the Mississippi, but finally agreed to treat with the commissioners appointed by the government, James Robertson and Silas Dinsmore. In June, 1805, an agreement was negotiated between the commissioners and Choctaw chiefs at Fort St. Stephens, on the Tombigbee, to arrange for

a treaty in November. On the 16th of that month the treaty was concluded at Pooshapukanuk, on Mount Dexter (near the present town of Macon, Noxubee County), by which in consideration of the sum of $50,500 cash, a perpetual annuity of $3,000 and other sums previously paid, the Indians conveyed their title to the Mississippi Territory between Washington County and the Tombigbee on the east and the old Choctaw boundary on the west. The session was bounded on the north by a line running nearly east by north from the intersection of the old Choctaw boundary near the sources of the Homochitto River, to the Pearl; thence east by north to the Chickasawhay and thence northeast by east across the Tombigbee River to the eastern limit of the Choctaw nation. The thirty-first parallel was the southern boundary of the cession. "Thus," says Monette, "the whole southern portion of the present State of Mississippi, near the line of demarkation, was thrown open to the white population and the Choctaw nation was virtually removed from the Spanish border by an intervening strip of more than fifty miles in width." President Jefferson withheld the treaty for several years, but finally submitted it to the Senate, and it was approved by the upper house of Congress as a means of separating the Indians from Spanish influence.

The cession acquired by the treaty of Mount Dexter was thrown open to settlement and from 1809 to 1811 erected into the counties of Wayne, Greene and Marion. Subsequently have been carved out of the cession Lawrence, Pike, Covington, Perry, Jones, Lincoln, Lamar, Forrest, Jefferson Davis and Walthall. Lincoln was established during the Reconstruction period when the State was under military rule.

As a result of Secretary West's obstructive tactics in withholding the territorial archives from the Governor, and the colonel's generally hostile attitude, the Secretary of State appointed Thomas H. Williams as secretary of the Mississippi Territory. He accepted the position conditionally, after which the Governor reported to his federal superior: "Colonel West has had his political frolic and all things are quiet." The expression which he applied to Colonel West is quite descriptive of much of his own political career which brought almost continual turmoil. In June, 1805, the Governor relieved Charles B. Howell as Auditor of Public Accounts and appointed Beverly R. Grayson. John Shaw, justice of the peace and chief justice of the Orphans Court for

Jefferson County, was removed from office for wilfully refusing to hold court, and Jacob Stampley and Eli K. Ross, judges of the county court, were likewise discharged.

VITAL DISTURBANCES OF 1805-07

The *Encyclopedia of Mississippi History* gives a fair epitome of the events, other than personal quarrels, which disturbed the early period of the Williams administration, a large portion of which was in the hands of the secretaries of the Territory as acting governors. The extract follows:

"One of the first memorable events in the Williams administration was the Kemper affair, an outbreak of hostilities between the white inhabitants of the Spanish territory and the frontier of the Natchez District. Since the cession of Louisiana, Spain had held the Baton Rouge and Manchac districts, between the Island of Orleans and the Natchez District, as well as the coast region formerly under the government of Mobile. All this was formerly part of French Louisiana, including Mobile, and the American government was making a serious claim to it as a part of the cession of Louisiana. Whatever the merit of the arguments made use of, the Baton Rouge country was mainly American in population and it was bound to become a part of the United States. The Kemper affair was the beginning of the disorder that finally furnished some actual warrant for taking possession. The movements of the Kempers; the revival of the Spanish intrigue with the Indians; the plot of Colonel Caller, of the Tombigbee District, to capture Mobile; the Sabine expedition; the operations of General Wilkinson and the descent of Aaron Burr, were all intimately connected and served to involve the Mississippi Territory in disturbance and mystery during the years 1805-07."

THE KEMPER AFFAIR

The most prominent rebels against the Spanish administration of the Baton Rouge country were Reuben Kemper, a citizen of New Orleans, and his brothers, Nathan and Samuel, who lived near Pinckneyville, a frontier settlement of the Natchez District, just above the line of demarkation. The house of Samuel was known as the Kemper tavern and Nathan lived in the vicinity. Opposed to them were a number of former residents of the Natchez District who, dissatisfied with the Sargent-Ellicott ad-

ministration, had moved into Spanish territory. There were also others of Spanish proclivities, or who would have welcomed a restoration of British rule, but who still resided in the Natchez District. The Kempers had raised the flag of revolution in the Baton Rouge District. The Spanish authorities treated them as outlaws and Governor Claiborne, of the Territory of Orleans, had been asked to prevent the Kemper party from taking refuge in the Mississippi Territory. Claiborne had responded that "the insurgents in West Florida had received no encouragements from the United States or its officers."

Before the close of the summer of 1805, the border animosities between the American and Spanish population in Mississippi Territory and West Florida had broken out into acts of open violence and mutual aggression. The first invasion of American soil by the Spanish party was on the 12th of August, when Lieutenant John Glasscock and a party of twelve horsemen, formerly English subjects of West Florida but then subjects of the Spanish crown, crossed the international line into the Mississippi Territory and captured William Flannigan and wife. They were abducted fifteen miles into Spanish West Florida, but were permitted to return when it was ascertained that the wrong man had been captured. The horse, however was retained.

But it was the Kempers that the Spanish raiders wanted, and a mixed party of twelve white men and seven negroes started across the line after them on the night of September 3d. Reuben was with his brother Samuel at the tavern, and Nathan was at his home near Pinckneyville. They were all seized and Reuben was badly beaten with clubs. The Kempers were carried across the line into Spanish territory, and delivered to Captain Solomon Alston, of the Spanish patrol which had been placed on the border by Colonel Charles de Grand Pré, the Governor. They were marched to Tunica landing and placed in a boat under a guard of six armed men, with orders to deliver them to the fort at Baton Rouge. Passing at daylight near the shore of Point Coupee, the prisoners cried out to a detachment of United States troops stationed there that they were Americans. They were soon overtaken by a boat from the garrison and the whole party taken into custody. A few days later the prisoners were taken to Fort Adams and turned over to Captain Sparks and by him to the civil authorities.

After an investigation by Judge Rodney, the Spanish patrol was discharged as it had remained in Spanish territory, the Kempers were released under bonds to keep the peace especially with subjects of the Spanish crown, and the citizens of Mississippi alleged to be guilty (recognized by Reuben Kemper) were bound over to court. To prevent further disturbance, Governor Williams ordered Col. John Ellis, commanding the Fifth militia regiment, to place two companies on duty at Pinckneyville. Each man was furnished with twelve rounds of cartridges, and the colonel's instructions were that "if any hostile intentions were evinced by any party to repel force by force."

Governor Williams and Governor Grand Pré corresponded on the subject and the Spanish officer declared he was about to take efficacious measures to stop the trouble "which had risen to its full height on the territory of this government—disorder, confusion, violations, outrages, plunder, insult to the magistrate, dragging him by a rope about the neck, attempts on the flag of the king my master, and now the violations committed with the Kempers, authors of all the above, on the government of your excellency;" the most violent of the acts enumerated by the Spanish governor having been committed by these fiery Virginians.

Events which in five years followed the Kemper affair of 1805 indicated how impossible it was for the brothers to "keep the peace." They were undoubtedly vindictive, but fiercely American. So that although subsequently they captured and unmercifully lashed some of those concerned in their kidnapping, and went so far as to cut off the ears of one particularly obnoxious to them, at the same time they were leaders in the Baton Rouge revolution of 1810 and did much to save the coast country of Mississippi and Alabama to the domain of the United States. Reuben Kemper was perhaps the most troublesome patriot of the three.

GOVERNOR WILLIAMS LEAVES FOR NORTH CAROLINA

The Governor was anxious to go to North Carolina and bring back his family to Mississippi. One of the problems which held him back was that relating to land claims which the Land Commission was endeavoring to solve under the provisions of the congressional act of March 3, 1803. As a member of the commission created by virtue of that measure, he was especially well informed and interested in the issue, and, as governor of the State, felt a

double responsibility in the application of the congressional regulations to Mississippi land claimants. Settlers upon the land who were in possession on the 3d of March, 1803, were given the preference as prospective purchasers and they constituted the main class of preemptors.

On April 21, 1806, Congress enacted that persons entitled to a right of preemption by virtue of certificates from the commissioners of the two land offices in Mississippi should be allowed until January 1, 1807, to make the first payment. If the claimants failed to do this, on the date named, their rights were to become void. As for those without title who were actual settlers in 1798, each male of full age in this class was donated 640 acres.

The fall of 1805 brought anxiety to both Governors Claiborne and Williams, as there were reports that Spanish troops were being forwarded to Florida, a portion of them to be stationed at Baton Rouge, and that there was a military movement toward Natchitoches from the province of Texas. The prospect of a war with Spain also held the Governor in Mississippi, as he wished to await the meeting of Congress in March, to be guided by its action in the matter.

Governor Williams' message to the Fourth General Assembly on December 2, 1805, was a plea for such self-government as would dispose the general government to increase its powers; for the general extension of higher education; for moderation and justice in the laws; for as few laws as possible and the preparation of a digest of existing statutes; for the efficient support of the militia; for the enactment and enforcement of compulsory laws for maintaining the highways and adequate provision for the payment of the public debt.

By the spring of 1806 the Spaniards were concentrating troops west of the Rio Grande and General Wilkinson, under instructions from the Secretary of War, was concentrating the American troops at Natchitoches within easy marching distance of the Sabine, the western boundary of Orleans territory. But the Spanish movement was so uncertain that Governor Williams evidently concluded that his presence would not be required for some time, and on the 22d of April, 1806, he left the Mississippi Territory for his home in North Carolina.

In the meantime, Cowles Mead, the exuberant Virginian of Georgia, had been appointed secretary of the Territory. His

commission had been received by the Governor on the 25th of March, but as Mead did not arrive at Natchez until the 31st of May the duties of the chief executive were performed by Thomas H. Williams, temporary secretary.

MEAD'S ADMINISTRATION

Until the return of Governor Williams in January, 1807, the acting executive was in the limelight of affairs in the southwestern country. Military movements and intertwined conspiracies completely overshadowed the civil affairs of the Territory, and included a series of dramatic and exciting events which especially appealed to the high-strung character of Mr. Mead. The Sabine expedition and the Burr conspiracy were the outstanding features of this period.

There was always debatable land between the American and Spanish possessions of the southwest. The United States claimed that the Sabine River bounded the Territory of Orleans on the west and the Spanish province of Texas on the east. The contention of Spain reverted to the middle of the eighteenth century when the Spanish and French military commanders of the region agreed to bound the possessions of their royal masters by the Arroyo Hondo, a deep ravine midway between Natchitoches, the French post, and Adaes, the post erected by the Spaniards in 1717, about a dozen miles to the west. The United States claimed that under the French title the Sabine was the true line of demarkation between the American and Spanish possessions.

Started in his downward public course by his duel with the idolized Alexander Hamilton, and the death of his antagonist, Aaron Burr had retired from the vice-presidency of the United States and retreated to the Mississippi Valley. He had conceived —or it is thought that he had—that gigantic and still mystic conspiracy of founding an empire in the southwest which should liberate Mexico from Spanish rule, possibly detach American territory from the Union and from a vast Latin-American republic. His mind was so active and his influence upon the leaders of men so uncanny that up to the time of his death thirty years after the complications on the Sabine border, there was still confusion in the minds of those who had examined the entire matter as to the actual designs of Burr. The courts acquitted him both of the charge of treason against the United States and of a misde-

meanor in conspiring against Spain as technically and legally "a friendly nation." But in 1805 his bewildering movements in New Orleans, Natchez, Louisville and Nashville, his conferences with Jackson, Wilkinson and others, convinced the Spanish authorities that he planned to occupy the debatable land on the southwest border between the Sabine and the Red rivers and organize a rebellion to free Mexico from the mother country. As it was known that he was negotiating for a great tract of land on the Ouichita River (now northern Louisiana) formerly held by the Baron de Bastrop and afterward transferred to Colonel Charles Lynch of Kentucky, this added color to the rumor that he was planning to establish himself on the southwestern border within striking distance of the Mexican province of Texas.

In view of these boundary disagreements and the fact that a commission to adjust them had been sitting in New Orleans, coupled with the rumors of an American invasion of Mexican soil, in October, 1805, small detachments of Spanish troops crossed the Sabine and occupied the Arroyo Hondo line. Under orders from Washington a detachment of American troops was sent from Fort Claiborne against the Spanish who promptly retired beyond the Sabine. Late in the summer or early fall of 1806 Spanish forces again crossed the river, with the advance under Colonel Herrera at Adaes.

At that time Governor Claiborne was organizing and reviewing the Orleans militia of the frontier parishes, but on hearing of the Spanish occupation he posted to Natchez to confer with Acting Governor Mead. In the absence of General Wilkinson (then at St. Louis), the two executives drew up a memorandum of agreement on August 17th. The paper stated that the Spaniards had crossed the Sabine with the avowed purpose of establishing a garrison in the neighborhood of Bayou Pierre near Natchitoches, and that unless the orders of the Secretary of War not to permit such a movement had been rescinded it was "advisable to dislodge the said armed force and retire them to the west side of the Sabine." If it should be necessary to reenforce the garrison at Natchitoches with militia of the Orleans Territory, the militia of the Mississippi Territory could be drawn upon "for the security of the two territories and particularly of New Orleans." In the event of hostilities at Natchitoches, the Governor promised one hundred mounted infantry from Mississippi.

Returning to Red River, Governor Claiborne took measures to concentrate the territorial militia at Natchitoches and, while awaiting the arrival of the Orleans troops, addressed a note of remonstrance and warning to Colonel Herrera. "While the Governor and Herrera were thus confronting each other," says Gayarré, "the latter fell dangerously ill. The Governor learning that he was destitute of medical attendance sent Dr. Haywood with a note tendering him every civility in his power and expressing a wish for his speedy recovery. This act of courtesy made a most favorable impression on the sensitive Spaniards, but the illness of the general suspended negotiations." Governor Claiborne proposed to take the offensive against the Spaniards, but was dissuaded from this course by Colonel Cushing who, with three companies of regulars, had been sent by the war department to reenforce the garrison at Natchitoches and was then in command there.

When General Wilkinson arrived at Natchez on September 8th he overturned the offensive plan as projected by the Governors, writing to the Secretary of War: "While I pursue this temperate course in opposition to the ardor which I discern in the executives of Louisiana and Mississippi I pledge my life that no act shall be suffered to tarnish the national honor." While General Wilkinson was in Adams County conferring with the Governor relative to the detachments of militia to coöperate with the regular troops on the southwestern border, he issued orders to the commandant at Fort Stodder to hold himself in readiness to invest Mobile. He was to be supported by two hundred militia from Washington County under Colonel James Caller.

General Wilkinson, who was not free himself of suspicion in his negotiations between the American government and Spain, arrived at Natchitoches on the 19th of September, but the Spanish cavalry, in the advance of the main body, had already fallen back for want of forage and provisions. The Spanish retrograde movement reached the Sabine and passed beyond it on the 27th of September. General Wilkinson was not prepared to march to the Sabine "to wipe off the stigma of Spanish possession" until late in October. As it was now quite evident that there would not be war, all the Mississippi infantry designed for the expedition were turned back and only the Mississippi Dragoons retained, commanded by Captains Benjamin Farrar and Thomas Hinds.

Head Quarters
General Orders
Feby 10th 1807

Sir

You will without delay, take measures to apprehend the person of Aaron Burr, and all persons supposed to be of his party whenever they may be within this Territory, and have them confined under a strong Military guard until further Orders. To effect this end you are authorised to call on any portion of the Militia of your County — and to act in all respects in such ~~manner~~ manner as in your opinion circumstances may require

(Signed) Robert Williams

Col Fitzpatrick

FACSIMILE OF THE ORDER FOR THE ARREST OF AARON BURR.

Washington March 1st 1807

Sir

I am informed that Aaron Burr, whose escape from the Custody of the law I have announced by a proclamation has been arrested, and is now in your custody —

It is proper that Mr Burr should be sent immediately to the City of Washington, and Silas Dinsmore Esqr has been selected as a proper character, to take charge of and, Conduct him thither — You will therefore deliver Mr Burr into his Custody —

Although Orders are given for Mr Dinsmore to receive aid from the Militia, it is expected you will also afford such further, within your power, as exigences may require

I am yours with Respect

Robert Williams

Lieut. Col. Comd. R. Gaines —

(Signed)

FACSIMILE OF THE ORDER DIRECTING THAT AARON BURR BE SENT TO WASHINGTON, D. C.

It was while Wilkinson was in camp at Natchitoches that the famous cipher letter from Aaron Burr was delivered to the general, who then and there is said to have divulged the treason of Colonel Burr to Colonel Cushing. According to the sworn statement of the latter, General Wilkinson informed Colonel Cushing that "he would immediately march to the Sabine and endeavor to make such terms with the Spanish commander as would justify him in removing the greater part of his force to the Mississippi." When the Mississippi cavalry arrived at Natchitoches about a week later, General Wilkinson met, as one of its members, Walter Burling, one of his intimate friends, and to him he also confided the "conspiracy." Whatever caused the commander-in-chief of the American troops to move to the front and make terms with the Spanish commander, Cordero, the two forces were opposite each other on the Sabine, October 29th. Mr. Burling, as General Wilkinson's aide-de-camp, carried the letters of negotiations between the Spanish and American officers. The result appeared on the 5th of November, 1806, and Spain no longer insisted that the Hondo and not the Sabine was the eastern boundary of the province of Texas, Mexico. Neither was the Neutral ground treaty a great diplomatic triumph for General Wilkinson, as it was simply agreed that "pending the negotiations between the United States and Spain," the Spanish troops were to withdraw to Nacogdoches and not to cross the Sabine River, while the American force was to retire to Natchitoches.

AARON BURR IN MISSISSIPPI

The Mississippi militia had no sooner returned to the Territory than, in common with the entire country of the lower Mississippi Valley, it was again thrown into commotion, by the general report that Aaron Burr had started his expedition southward toward the Spanish-American frontier. Through the strong representations of General Wilkinson, President Jefferson was at length convinced that there was mischief, if not treason abroad, and issued his proclamation of November 27, 1806, calling attention to an unlawful expedition reported to be in preparation. Although Burr had been twice acquitted at Frankfort, Kentucky, of organizing an unfriendly expedition against Spain, the rumors of the charges brought by General Wilkinson persisted, and all the acts and orders of the commander-in-chief

strengthened them. Without mentioning names, warning proclamations were also issued by Acting Governor Cowles Mead, in December, against intrigues and conspiracies, ordering all government officials to take the oath of allegiance and mustering the five regiments of militia into service.

General Wilkinson had not only arrested various reported emissaries of Burr in New Orleans and placed the city in a state of defense against the reported descent of a large flotilla, but had induced Commodore Shaw, in command of the naval forces at that city, to concentrate most of his vessels at Natchez. By the end of December, 1806, the American naval force to oppose Burr's flotilla comprised two ketches, of fourteen guns each, a schooner of twelve guns which was Commodore Shaw's flagship, and five gunboats of two guns each.

Both Governors Claiborne and Mead had issued their proclamations to be vigilant and active in their efforts to suppress all treasonable movements, it being generally understood that both presidential and gubernatorial pronunciamentos referred to the "Burr conspiracy." State and Federal forces were completely mobilized to meet any hostile movements against either the American Union or the Spanish possessions.

On the 10th of January, 1807, an express from the national capital arrived at Natchez with dispatches for the executive of the Mississippi Territory, and, after a short delay, the messenger proceeded by way of Fort Adams to New Orleans with dispatches for Governor Claiborne. The papers conveyed alleged information relative to the designs of Colonel Burr and his contemplated movements on the Mississippi River. Accordingly on the 12th, Governor Mead ordered a guard of sixty men to be stationed on the bank of the river with instructions to board and examine every boat descending. He also prorogued the General Assembly from that day to the 19th (it had been in session since December 2) in the following words: "I now, gentlemen, bid adieu to my civil character. Tomorrow I assume the military prerogatives of my office and shall leave you at this time with the fullest assurance of your patriotism, and in my revolutions through the Territory I shall expect to find you at your respective posts performing the duties which you may be required to execute in the general defense of our country."

On the day that Governor Mead adjourned the Legislature

that he might give his sole attention to military affairs, Colonel Burr arrived at the mouth of Bayou Pierre with nine modest boats, but crossed over to the western, or Louisiana shore, where his flotilla anchored. On January 15th, three days afterward, Governor Mead, with his staff, repaired to the mouth of Cole's Creek. The militia of the First regiment had been ordered to Greenville, the seat of Jefferson County, and was in command of Colonel F. L. Claiborne, a brother of Governor Claiborne. After some parleying back and forth, George Poindexter and William B. Shields, the Governor's aides-de-camp, arranged an interview between Mead and Burr at the home of Thomas Calvit, on Cole's Creek. It occurred on the 17th of January. Burr agreed to surrender unconditionally to the civil authorities and be conducted to the town of Washington for trial; also to allow his boats to be searched for arms and munitions of war. The boats were searched by some of the Governor's officers who reported that they found "no more arms than would be needed in making a new settlement."

Colonel Burr, under military escort, started at once for the territorial capital, several miles away. He was brought before Judge Rodney and gave bail in the sum of $5,000, with Colonel Benajah Osmun and Lyman Harding, a New England settler, as sureties, for his appearance at a special session of the superior court to be held on February 2, 1807. His boats were brought to Natchez and the men discharged on parole. Many of them, well educated, secured positions as private teachers. During the period from his release to the convening of court, Colonel Burr was the guest of Colonel Osmun and Major Isaac Guion, both comrades in arms during the Revolutionary War.

At the assembling of court on the 2d of February, the distinguished defendant appeared to answer such indictment as the grand jury might bring against him. His counsel were William B. Shields and Lyman Harding, the latter perhaps the most able lawyer in the Territory. The judges were Thomas Rodney and Peter B. Bruin, the charge to the jury being delivered by Judge Rodney. George Poindexter, the attorney-general, stated that no testimony had been presented to him which brought the offenses charged against Colonel Burr within the jurisdiction of the territorial courts and asked that the grand jury be discharged. On the 4th the grand jury was discharged, but the court refused

Burr's demand for a release from its custody. He did not appear on the following morning as was expected, and it was soon known that he had escaped. It is said that his friends, Colonel Osmun and Major Guion, with others, advised him to take this course and forfeit his bond.

There is a fascinating story which is credited by Claiborne, the historian, that while Colonel Burr was waiting for his trial and dividing his time between the homes of his friends, Colonel Osmun and Major Guion, he made the acquaintance of a beautiful Virginia girl, the daughter of a widow, who lived near the Osmun home. On the night of his flight from Washington he stopped at the widow's cottage, and for hours implored the beautiful Madeline to mount Colonel Osmun's horse and flee with him as his wife. The maiden had given Aaron Burr her heart, but refused to take such a downward step. If true, it was one of the many heedless adventures in the life of the brilliant unfortunate Burr, who was easily susceptible to female charms. It was not until many years afterward, the story runs, that Burr, then deep in disgrace and poverty, released the unhappy but faithful Madeline from her promise, and not until then did she give her hand to another.

THE ARREST OF BURR IN THE MISSISSIPPI TERRITORY

Governor Williams returned to Mississippi from his North Carolina trip on the 26th of January, 1807, and was present at the meeting of the court which assembled for the trial of Burr. Later when it was known that Burr had escaped, the Governor offered a reward of $2,000 for his apprehension and delivery, either to him in Washington or to the federal authorities of the United States. While the Legislature was in session Colonel Burr had especially cultivated the acquaintance of the members from Washington County, from whom he had learned of the bitter grievances of the Americans against the Spanish authorities at Mobile. That information may have directed his flight.

No intelligence of Burr was received until about the last of February, 1807, when Governor Williams was informed by Captain E. P. Gaines, commanding Fort Stoddert, that he had been arrested near that post and was then a prisoner in his custody. Accompanied by Maj. Chester Ashley, Burr was attempting to reach the residence of Colonel Caller, near Mobile, who was known

North fork of Bobs Creek Jefferson County Jany 20. 1807

Dear Sir,

Received your orders last night by Mr. Leonard Green who informed me that on his way up to my House he met with Colo Burnett on his way to Washington, & that Colo Burnett told him that Judge Bruin said Colo Burr informed him that he was going to attack the Spaniards, and that he bid defiance to the united states to stop him. Colo Burnett also told Mr. Green that there was a man of his acquaintance whom he could rely on went over with the troops from Claiborne County to Colo Burrs Boats and, whilst others were engaged in Conversation with Burr, he was examining the different boats, and in one of them he observed Men French Muskets setting up, & upon further examination found that the boat was loaded with arms of that kind, and that he since understood the said boat was remained half a mile up the Bayou, and that there was two Hundred men stationed near said boat —

For further information you will please to enquire of Colo Burnett. —

I have also been informed by good authority that Certain negroes in the Steamboat house of Greenville have been heard a few nights ago Huzzaing for Burrs men. From that Kind of Conduct it may be necessary to keep up a strict Patrole. —

I shall endeavour to comply with my orders as near as I can. I am with due respect your Friend & Hble Servt

John A. Davidson

Cyrus Allen Esqr
Secretary the Board of Governors —

FACSIMILE OF A LETTER RELATIVE TO THE AARON BURR EXPEDITION TO THE MISSISSIPPI TERRITORY.

to be anti-Spanish in the extreme. But Burr's disguise betrayed him. His dress was far too shabby to correspond with the remarkably fine horse which he rode and the distinguished manners which he could not conceal. Captain Gaines being informed that suspicious travelers were in the neighborhood, took with him a file of men and easily accomplished his arrest. Under a strong escort the mysterious prisoner was conducted to the seat of the national government, and in March he appeared before Chief Justice Marshall at a small hotel in Richmond to answer charges of misdemeanor and treason. The chief justice threw out the charge of treason, and bound over Burr, in the sum of $10,000, to answer that of high misdemeanor and treason. Finally both charges were legally thrown out for want of evidence and Aaron Burr and Harman Blennerhassett were cleared by the courts. The larger figure is still a conundrum of American history, but played no vital part in the development of Mississippi.

TOULMIN'S DIGEST OF LAWS

Judge Harry Toulmin, who in November, 1804, had succeeded Ephraim Kirby (deceased) as territorial judge of Washington County, made the first digest of the laws of the Mississippi Territory. On the 19th of January, 1807, he reported to the Legislature that he had completed the work in pursuance with its resolution adopted during the previous session. On the 19th of the succeeding month an act was passed requiring the author to complete the digest up to that date, and resolving that "The said digest and acts of the present session shall, when printed, be entitled 'The Statutes of he Mississippi Territory, revised and digested by the authority of the General Assembly'; and that from and after the first day of October next, all the laws of the Governor and judges, all the acts of the General Assembly of the Mississippi Territory and all statutes of England and Great Britain not contained in the said volume of statutes shall cease to have any force or validity in this Territory." The printing of the digest was completed by Samuel Terrell at Natchez in September, 1807. At the suggestion of the Assembly additions were made to the code which, as a whole, was adopted as Toulmin's Digest.

While population in the new Territory had pushed farther than the Natchez District, the settlements on the Tombig-

bee and Mobile rivers were surrounded by the most powerful Indian tribes retaining a foothold in the United States. These were also separated from the gulf ports by foreign territory. If these isolated settlements in Washington County could not be placed in touch with the country west of the Pearl River, especially with the Natchez District, it seemed a foregone conclusion that there would be a division of the territory. The Natchez Trace had passed to the north of the settled portions of Washington County, but in February, 1807, the General Assembly passed an act which indicated that the territorial authorities were alive to the necessities of the Washington County settlement. On the 4th of that month Governor Williams approved an act appointing Harry Toulmin, James Caller and Lemuel Henry as commissioners to survey and open a road on the nearest route from the City of Natchez to Fort Stoddert so as to intersect the new Creek road from Knoxville, through the Cherokee and Creek nations, by way of the Tombigbee, to Natchez. In the summer of 1807 the road between Natchez and Fort Stoddert was laid out, and by December not only was the ferry completed on the Tombigbee above Fort St. Stephen, but the way was "completely opened and marked with causeways across all boggy guts and branches" so that strangers could "travel the road with safety by observing the three notches, or three-chopped way which cuts off a great distance in traveling from Natchez to Georgia." This was the first road opened from the western to the eastern part of the territory.

LAND OFFICES CLOSED

The land office for the territorial district east of Pearl River, with headquarters at Fort Stoddert, had been closed since September, 1805, and during the seven and a half months of business only 276 claims had been received for record. The office for the western district, at the town of Washington, had remained open until July 3, 1807, after having received 2,090 claims. The time for making the first payments had been extended from time to time in the district west of the Pearl River. A memorial to congress, adopted by the Mississippi House of Representatives in the fall of 1808, was rejected by the Committee on Public Lands of the national body on the ground that the preemptors already had had a longer time for making their first payment than other pur-

chasers and had enjoyed the selection of the best lands without competition.

Several chapters could be written on the disputes and bitter animosities engendered by the Burr episodes. Both Governor Claiborne and Governor Williams were supporters of General Wilkinson, and the Orleans executive fought a duel with Daniel Clark, nephew of the famous pioneer Colonel Clark, on account of his charges against himself and General Wilkinson. Mead led the opposition to Williams and Wilkinson in Mississippi Territory, and was deposed in the summer of 1807. Thomas H. Williams succeeded the first named as secretary of the Territory on June 1, 1807. In the ensuing special election for four representatives, Mead was chosen, as Jefferson district was his stronghold. Then he fomented a quarrel between George Poindexter, an Adams County representative, and Governor Williams, who challenged the Governor through Captain Voss, of the militia as well as a justice of the peace. Williams declined the challenge and removed Captain Voss from his civil office. He also revoked the commissions of Captain Marschalk, the printer and editor, both civil and military, and directed the new attorney general, Seth Lewis, to bring suits for libel against Mr. Poindexter, Col. Joshua Baker and John Shaw. Captain Voss began suit against Governor Williams for defamation of character, naming $10,000 as damages. Abner Green, territorial treasurer, was removed from office in October and succeeded by Samuel Brooks, mayor of Natchez. Such quarrels as these had the effect of keeping the people of the Territory in a constant turmoil and blocking much useful legislation.

CHANGE IN THE SUFFRAGE LAWS

By an act of congress approved January 9, 1808, the organic law so far as it related to Mississippi Territory, was amended so as to provide that every free white male of the age of twenty-one years, having been a citizen of the United States and resident in said Territory one year next preceding an election of representatives, and who has a legal or equitable title to a tract of land from the United States of the quantity of fifty acres, or who may hold in his own right a town lot of the value of $100 within the Territory, shall be entitled to vote for representatives to the General Assembly of said Territory. The changes made from

the suffrage provisions in the ordinance of 1787 were those decreasing the period of territorial residence from two years to one year, and adding to the number of electors those owning a town lot valued at $100.

DISSOLVING THE LEGISLATURES

The opposition to Governor Williams became so unrelenting that nearly all his appointments were refused. Poindexter and other members of the Assembly resigned, and, as is the usual condition of frontier governments, things were in a deplorable state at times. When the General Assembly met in November, 1807, the Governor refused to recognize it, claiming that the session was set in disregard of the law of Congress and without the consent of the Governor. On account of disagreement between the members, no quorum was present and no business could be transacted. He therefore prorogued the Legislature until December. In his message to the two houses delivered on the 4th of the month, he assumed a fatherly and patronizing tone to the opposition. "The people will, after a while," he believed, "determine right and act correctly; for it is impossible the people at large can wish to remain deceived or to act wrong," and it were "better that discontent should evaporate freely than be hidden to poison in secret." Regarding the criminal laws, he suggested that the penalties for duelling were too severe to be enforced, and that more solemnity and formality in the trial of slaves for crimes involving the death penalty would better accord with the principles of the Constitution and genius of government.

The opposition to Governor Williams crystallized around a memorial to President Jefferson voicing the sentiments of the Assembly against the reappointment of the territorial head for a second term commencing March 5, 1808. He was charged with political treason, as well as being friendly to Burr. As special instances of his apostasy were given the removal of Green as territorial treasurer, of Ellis as county judge and Colonel Claiborne of the Adams County regiment. It was also claimed that his aides were all Federalists and that he had attempted to monopolize the judges of election with Federalist appointees. The memorial was signed by Joshua Baker, president of the council, and Joseph Sessions, another councilman, and by John Ellis, speaker of the house and four other representatives, viz.—Cowles Mead,

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J. A. Matthews

MISSISSIPPI TERRITORY.

FRANKLIN ACADEMY.

The undersigned, being desirous of establishing an Academy in Jefferson county and territory aforesaid, for the instruction of youth in the several branches of learning usually taught in such schools, have agreed, and do hereby promise to unite their efforts for carrying into effect and complete operation that desirable object, upon the following plan:

1st. This association shall be called and known by the name of Franklin Society: and the Academy by it to be established shall be called and known by the name of Franklin Academy, in honor of, and respect for the memory of Doctor Benjamin Franklin, the great American patriot and philosopher.

2nd. The Academy shall be erected at such place, in the county of Jefferson aforesaid, as the society shall designate for that purpose—and there shall be employed one or more teachers of good moral characters and competent abilities for the school, whose compensation shall be fixed by the society and paid out of the funds of the same.

3d. The school shall commence on the first day of January, 1807, or as soon as suitable buildings and teachers can be procured.

4th. The first meeting of the society shall be held at Greenville, on the first Saturday of January next, and all subsequent meetings shall be held by their own adjournment, or on such stated days as they may fix upon, not exceeding four times in a year; and every member failing to attend any meeting of the society shall pay a fine of 100 cents, unless he shall render a satisfactory excuse, to be judged of by the society.

5th. New members residing in the county may be admitted; and every person being proposed, or applying to become a member shall be balloted for at the next succeeding meeting after so applying or being proposed, and if he shall have a full majority of the suffrages of the members present, he shall be completely a member, with all the privileges and powers of an original member; and whenever any member shall move out of the county, his seat shall be thereby vacated.

6th. Not less than two-thirds of the whole number composing the society shall constitute a quorum for business, but a less number may adjourn to a day certain, not less than five nor more than fifteen days, and in such case shall make the same publication as in the case of a meeting called.

7th. Each subscriber hereunto, and each and every new member on his admission shall pay into the hands of a treasurer herein after directed to be appointed the sum of twenty dollars, and each member shall pay annually, at the first meeting after the first day of January, the sum of ten dollars for the support of Franklin Academy, to be applied in such way and manner as the society may direct.

8. There shall be chosen annually out of their own body, a president and vice-president. The president, on the application of any five members, shall have power, and he is hereby required to call extraordinary meetings of the society, upon giving fifteen days notice by advertisement in a public Gazette of the territory, and in writing at Greenville, and at least three other public places in the county—and in his absence the vice-president shall have the like power, &c.

9th. There shall be elected annually a secretary out of their own body, whose duty it shall be to keep a fair record of all the proceedings of the society; and also a treasurer who shall give bond with approved security to the president of the society, in the sum of five thousand dollars, which bond shall be lodged in the hands of the secretary, to account duly for all monies that may come to his hands by virtue of his office. It shall be the duty of the treasurer to provide books necessary for the use of his office; and for the use of the secretary, to be paid for out of the funds of the society; the accounts for which shall be by him laid before them at their first meeting, after the same shall be incurred for approbation;—and it shall moreover be the duty of the treasurer to report to the society at their first meeting in each and every year, and as often as he may be thereunto required, the state of the treasury, exhibiting an exact statement of all receipts and expenditures of money for the benefit of the institution; and further, it shall be the duty of the treasurer to enter in a separate book to be kept for that purpose, all donations to the institution, with the donors' names, in order that posterity may know the friends to learning in this place.

10th. The aforesaid elections for officers shall be held at the first meeting of the society, after the first day of January in each and every year; and in case of vacancy by death, removal or resignation, the society shall elect to fill the same for the residue of the term.

11th. Corresponding branches of this society may be formed in any other county within the territory or elsewhere, for the purpose of promoting the interest of the institution, by receiving donations for the support of the same; or by any other proper ways and means; but the members of such branches shall have no vote in the general society.

12th. No money shall be paid out of the treasury but by warrant under the hand and seal of the president; or in his absence, the vice-president, authorized by a resolution of the society.

13th. There shall be selected by ballot a standing committee of five members, whose duty it shall be to superintend the business of the school, and to perform such other duties, for the benefit of the Academy, as may be required of them by the society, and report from time to time accordingly.

14th. The society shall make all needful rules and regulations for governing and regulating the same, not herein before provided for; or inconsistent with this constitution.

15th. The foregoing is hereby declared to be the permanent constitution of Franklin Society aforesaid, and unalterable except in the manner following, to wit; whenever any motion shall be made for amending this constitution, the mover shall state the desired amendment at large in writing, which the society may take under consideration, but shall not decide on at the same meeting at which it may be proposed; and no alteration or amendment shall ever be made unless two thirds of the whole number composing the society shall concur in the same.

GREENVILLE, January 4, 1806.

This day the Franklin Society met agreeably to the constitution. Following members present, Cato West, Thomas M. Green, Thomas Hinds, Henry D. Downs, Robert Cox, John Shaw, John Hopkins, Daniel Beasley, Thomas Fitzpatrick, James S. Rollins, and Charles B. Howell;—Absent, David Snodgrass, Thomas Calvit, Joseph Calvit and William Thomas; which said members present being a quorum agreeably to the constitution, they proceeded to business—Cato West chosen chairman.

In pursuance of the constitution the society proceeded to the choice of their officers; and upon counting the ballots Cato West was found to be duly elected president, Thomas Fitzpatrick vice president, Daniel Beasley secretary, and Thomas M. Green treasurer.

Daniel Beasley, Thomas Hinds, John Shaw, Thomas Fitzpatrick and Thomas Calvit were, agreeably to the constitution duly elected a standing committee of superintendance.

Thomas Fitzpatrick, John Shaw and Charles B. Howell, were appointed by the president to draft rules of proceeding for the regulation and government of the Society.

Resolved, By the Franklin Society, that the standing committee of superintendance be, and they are hereby instructed to receive proposals for a suitable House in the town of Greenville, for the use of the Society as a House of instruction; and also proposals from any person or persons, as teachers, and report the same to the society at their next meeting.

Resolved, That the secretary be, and he is hereby directed to furnish the printers of the Mississippi Messenger with a copy of the constitution of Franklin Society, together with this day's proceedings of the society, for publication.

Resolved, That the society be adjourned till the first Saturday in March next.

JAMES S. ROLLINS,
Secretary pro tem.

BILLS

ON Boston, New-York, Philadelphia, Baltimore, Alexandria, Charleston and London—also,

Pennsylvania Bank Post Bills.

Apply to

M. G. CULLEN & Co.

At Messrs. Pultney, Shepherd & Co.

New-Orleans, Jan. 8, 1806—74f.

They will advance 4-5ths the Amount of all Cotton, and a proportionable part of the Value of all other Goods, addressed to their Houses in Liverpool, for sale by Bills on England, at 60 days sight.

CAUTION.

THE Subscriber gave a Note to James Wallace, Esq. for fifty dollars, or perhaps something more, and is credited on said Note for sixteen dollars. He cautions all persons from taking an assignment of the Note, as he is determined not to pay it until compelled.

JESSE HAMILTON.

Claiborne County, Dec. 30, 1805.

FACSIMILE OF THE MISSISSIPPI MESSENGER, FEBRUARY 11, 1806

Alexander Montgomery, Macajah Davis and William Snodgrass. While the paper was waiting the signatures of certain members absent on account of sickness, the Governor again prorogued the Assembly, from December 24th to the following February.

The fourth General Assembly met in February, 1808, and both houses were dissolved by the Governor on the 1st of March. An election was then ordered for representatives to conform with the new congressional law of the previous January increasing the apportionment of the Mississippi legislature to twelve members. Before dissolution, the Assembly ordered a census of the Territory, apportioning the representatives as follows: Claiborne County, 2; Jefferson, 2; Adams, 4; Wilkinson, 2; Washington, 2.

Notwithstanding the pronounced opposition against him, Governor Williams was nominated by President Jefferson for a second term, to date from March 14, 1808. In July a new house of representatives was elected in the Territory. It had a majority of anti-Williams members, who were led by William B. Shields, Ferdinand L. Claiborne and Cowles Mead; and George Poindexter, another strong opponent of the Governor, was elected delegate to congress to succeed himself.

The new territorial house of representatives convened in September, 1808, and as the Governor had taken the position that his dissolution of the General Assembly of February-March, had obliterated the council, the great question to be decided was as to the membership of the upper house of the legislature. After an earnest debate as to the Governor's power to overrule the presidential nominees for councilmen, new nominations were made—two for each of the five counties. They were all opposed to the Governor. While the appointment of a new council was pending, the courts were inactive. George Poindexter's bill to deprive the Governor of the right to dissolve the General Assembly was killed in Congress as repugnant to the ordinance of 1787. The judicial, legislative and executive functions of the government of Mississippi were temporarily paralyzed.

During this territorial season of perplexity the regular time for the meeting of the Assembly passed. Consequently the Governor called a session on the first Monday of February, 1809. His address was more conciliatory than usual, but was delivered too late in his career to undo his autocratic and uncompromising acts of the past.

On December 14, 1808, the Governor had written the Secretary of State that the accumulation of business and the necessity to attend the public sale of lands in Madison County had prevented him from going to North Carolina on private business, and that perhaps no man "ever made a greater sacrifice than this for the public service." On the 3d of March, 1809, he notified the Assembly that he should not "continue to act as Governor of the Mississippi Territory after this day; and in order that my successor may come into office under the most favorable circumstances which the nature of the case will admit of, and meet the full suffrages of the people in their representative character, unbiased by the various motives and dispositions under which the representation constituting the present General Assembly may have been influenced; and in-as-much as a great portion of the citizens of this Territory has no share in the present representation, I do therefore dissolve the present General Assembly of the Mississippi Territory."

NATCHEZ IN 1808

While the political affairs of the Territory were being shaped into permanency, its social advancement was steadily progressing. In April, 1808, Christian Schultz, Jr., visited Natchez and gave the following graphic account of the city and the life of its people:

"The city of Natchez, which has been erected a port of entry, lies in lat. 31, 32 N. long. 91. 15. W. and is situated on a most beautiful eminence on the left bank of the Mississippi. Immediately adjoining the river there is a lower bank, which appears to be upon the same level with the opposite shore; the whole extent of which, for nearly a mile, is lined with boats, intended either for this market or that of New Orleans.

"From the best information I could obtain, this city contains nearly three hundred houses, and about three thousand inhabitants, including all colours. There are several extensive mercantile houses established here, and one at least which imports goods directly from England. There are two printing-offices, and consequently two newspapers, which are published weekly. The buildings in general are neat, yet I found none within the town that can be considered as elegant. The principal hotels are upon a genteel establishment, yet not in a style corresponding to the

general character of the place for luxury; but to a Mississippi sailor, who like an alligator may be said to have lived in mud while upon the river, they afford no trifling luxury.

"The streets of Natchez are not paved, nor have they even the convenience of a paved sidewalk; consequently in wet weather it must be disagreeable walking. As the city, however, is situated on the summit of the hills, (which have a striking resemblance to the Walnut Hills already described) the water from rains passes off very readily, and a bright sun in a few hours absorbs the remaining moisture.

"My stay at Natchez was but two days and two nights; of course you will not expect me to say anything respecting the manners of its inhabitants, as the result of my own observations. Yet as this was always one of the principal items in my catalogue of inquiries, you may be sure I did not neglect it on this occasion. The ladies in general are extremely delicate, which never fails to please, and excite the warmest sensations in the beholder.

"The gentlemen pass their time in the pursuit of three things: all make love; most of them play; and a few make money. With religion they have nothing to do; having formed a treaty with her, the principal article of which is, 'Trouble not us, nor will we trouble you.'

"From the eminence on which the city stands, which is about one hundred feet above the present level of the river, you have a very pleasing prospect of the river both above and below; but in front your vision is lost in tracing the immense forests which cover the low grounds, extending in one uniform horizontal line before you. One evening, as I was enjoying the cool refreshing breeze from this charming situation, I was agreeably surprised with the sight of a fleet of eleven Kentucky boats, which just came in sight, and were making for the landing. This is situated in a bend of the river, where the projecting point above causes a very extensive eddy along the shore below, and makes it very convenient for a landing-place. The current of the river is so strong, that the boatmen always make a proper allowance for the drift of the vessel while making in for the shore. But here the eddy setting up with nearly equal velocity, carried the most of them far above the town, where they had to take the channel once more, before they could effect a landing at the levee. The next thing that afforded us amusement, was a long raft of boards and

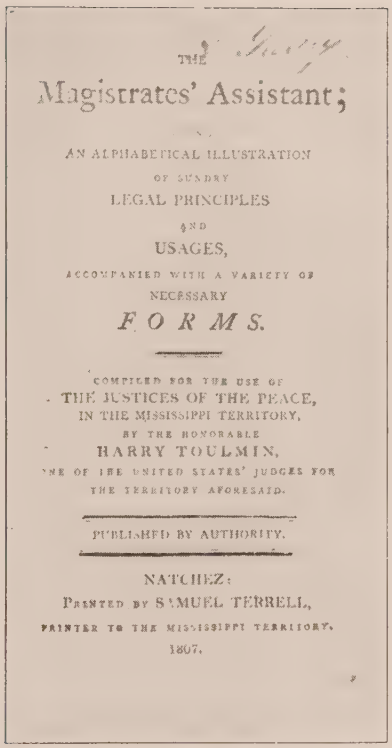
shingles, which was intended for this place. The owners expected its arrival, and were on the levee to see it landed in safety, but it was soon discovered that it would not be able to reach even the eddy. They accordingly mustered all the ropes and boats which could be readily collected, and while those on the raft sent their boats and ropes ashore, these went off with theirs; but the power of the raft was so great, and the current so strong, that the ropes all snapped like threads; nor were they able to make a landing before they had drifted five miles below the city.

"I had the curiosity the next morning to count the number of boats then lying along the levee, and found they amounted to eighty-three, all loaded with the produce of the upper country as far as the 42d degree of north latitude.

"Although gambling is permitted in its fullest latitude *up* on the hill, yet it seems they have a law or ordinance which prohibits the least shadow of anything that looks like it *below*. I had an opportunity of seeing this republican regulation put in force against a Monongahela boatman, who having had some trifling dispute with a spy of one of the ministerial officers of the tribunal, offered to leave the event to the turn of a dollar. This the other objected to; but offered to pitch a dollar at a point, which was agreed to by the first. The boatman lost his wager fairly; but what was his surprise when he afterwards found himself arrested upon the information of this very villain, and fined either twenty-five or fifty dollars for *gambling!*

"The river is about one mile broad at this place, and one hundred feet deep. From the brow of the hills before mentioned, you discover small fleets arriving daily, which keep up the hurry and bustle on the flats or levee below; while at the same time you see detachments continually dropping off for New Orleans, and the slaves breaking up the hulks of those that have discharged their cargoes, in order to make room for the new comers.

"Sea vessels sometimes come up to this city against the stream, although it is three hundred miles above New Orleans; but it is very seldom that they attempt it, as the sudden and frequent turns of the river render the fairest wind of very little use for any length of time, as that which is fair for one turn will probably be directly ahead at the next. Besides, the time lost in warping up the river, and around the bends, is sufficient in ordinary cases for a voyage to Europe and back again. In descending the river



THE

Magistrates' Assistant;

AN ALPHABETICAL ILLUSTRATION
OF SUNDRY
LEGAL PRINCIPLES
AND
USAGES,
ACCOMPANIED WITH A VARIETY OF
NECESSARY
FORMS.

COMPILED FOR THE USE OF
THE JUSTICES OF THE PEACE,
IN THE MISSISSIPPI TERRITORY,
BY THE HONORABLE
HARRY TOULMIN,
ONE OF THE UNITED STATES' JUDGES FOR
THE TERRITORY AFORESAID.

PUBLISHED BY AUTHORITY.

NATCHEZ:
PRINTED BY SAMUEL TERRELL,
PRINTER TO THE MISSISSIPPI TERRITORY.
1807.

TITLE PAGE OF THE "MAGISTRATES' ASSISTANT"
Compiled by Judge Harry Toulmin

afterwards, we met a brig at the Fausse Riviere, one hundred and sixty-five miles above New Orleans, which was then forty-two days from that city. This vessel had part of her cargo of slaves on board, and was bound to Natchez; and though she had the advantage of extraordinary assistance from her slaves, she had performed only one-half of her voyage. I have no doubt that her whole voyage from city to city took up more than eighty days.

"The transportation of produce is chiefly done by the Kentucky and New Orleans boats, which after having disposed of their cargoes, are purchased for a mere trifle, and reloaded with cotton. They have also a kind of barge, one hundred feet in length, and somewhat wider and deeper than those I have before noticed. These are decked for the purpose of preserving the merchandise which they bring up the river from being injured by the weather. They likewise carry a large square sail, with a standing mast, and are steered by a rudder. These boats ply constantly between the two cities, and as they are well manned, row constantly while descending. When ascending they depend chiefly on a very long tow line, which extends from the mast head to the shore, where eight or ten men drag her up against the stream. They generally descend this distance in one week, but it requires more than two to return.

"The principal article of culture in this country at present is cotton, of which they already raise immense quantities, of a quality almost equal to any in the world. They formerly raised large crops of indigo; but in consequence of the low price of that article some years back, and its destructive effects on the health of the slaves, they have generally fallen into the more profitable culture of cotton. This is planted about the middle or latter end of February. Their corn is planted between the first of March and the first of July. They likewise raise tobacco, rice, Indian corn, hemp, and flax; but these articles are now brought down the river in such quantities from Kentucky and the upper country, that they can purchase them much cheaper than they can raise them, and prefer turning their labour to more profitable crops.

"Improved land 'round about Natchez, even considering its superior quality, is extravagantly high, bearing on an average the price of twenty dollars an acre, exclusive of the value of the mansion-house and improvements, which must be paid for, at a rate of twenty-five per cent. less than the real value. It is a

very common thing for a planter to have a hundred slaves, and some have as many as three hundred. The profits of an able-bodied slave may be safely calculated at one hundred dollars a year, some say two hundred, exclusive of his maintenance. The price of prime slaves is five hundred dollars each; and those possessed of any extraordinary qualifications will command from six to nine hundred dollars.

"They have peaches, figs, and plums in great perfection; but their apple-trees produce very little, and that not eatable. Sour oranges are common. The markets are supplied with excellent beef, mutton, pork and poultry, of their own raising. The cows look well, but the milk is thin and watery. Although the sheep answer very well for the table, yet I am credibly informed, that they do not promise much for the loom, as those of the best fleece have been found to degenerate so fast, as in a few years to afford only a scanty supply of very indifferent wool. The hogs are small, but prolific. I have heard of some planters who have from three to six hundred head of horned cattle.

"There is a gang of idle Choctaw, Natchez and Muskogee Indians, who stroll about the city, or rather are settled down on the Levee, which being the landing-place of the cargoes of whiskey and provisions that continually arrive, has attracted them to that spot. They are about forty in number, of both sexes and of every age. They are provided with a full band of music, with which they serenade the different boats as they arrive morning and evening, or as often as they want a little money, whiskey, or provisions. You would no doubt have been surprised, if you had inspected the band, with their instruments, before the beginning of the performance; but you would have been satisfied, after hearing the music, that a given quantity of discord may produce harmony. I must certainly do them the justice to say, that I never was more agreeably disappointed in my life, and the harmony produced by such an unpromising collection of instruments and performers, exceeded all my expectations.

"As I was very particular in examining the instruments used on this occasion, I must not omit giving you a description of them. The first and largest was a joint of thick cane, open at both ends, which, when applied to the mouth, and sung or blown through with a strong voice, served as a bass to the whole. The next was also a joint of cane with both ends closed, containing a few

small pebbles; this was used by shaking it to the time and motion of the piece. The third was two separate joints of cane, each of which were cracked in several places, and used by suspending the one between the fingers of the left hand, and striking the other upon it with the right; producing a kind of rattling jarring sound. The fourth was likewise a joint of cane open at one end, having a small slip of cane inserted directly across the aperture. This was held in a perpendicular direction, when by contracting the lips, and blowing or singing through the aperture upon the slip, it produced a hollow hissing sound. The fifth was another joint of cane closed at both ends, with a narrow strip out from end to end, over which was extended a strong deer sinew; which being set in vibration by the thumb, produced a dull monotonous sound. something like the lowest string of the African jumbo. The sixth and last instrument was a two gallon tin kettle, with a drest buckskin extended over the mouth, not unlike a drum, which it was intended to represent. This was carried under one arm, and beat with a stick held in the hand, producing a dull sound like a drum.

"The first five instruments were of various sizes, according to the age of the persons using them, those of the children being always the smallest. Their manner of performance was as follows: Having first formed their company under a tree a small distance from the boats, they advance singing short stanzas of 'ho ha.' When near the boats, the captain or leader advances before with a white or striped silk banner, taking long and solemn strides, and then halting a moment for the rest to come up. After reaching the boat he stands as still as a post, not moving his eyes, or any of his limbs. The men approach next and form a circle around him: then follow the boys; after them the squaws with the girls in the rear. The music now becomes slow and solemn for about five minutes, when it gradually increases to a brisker motion, during which you will first perceive the captain move his eyes, next his lips, then his head and hands, and at last a very curious and pleasing pantomimical dance strikes up, which continues for about a quarter of an hour. The music is performed in two parts, being tenor and treble: the men and boys composing the former, and the women and girls the latter. The several instruments were used with such accurate time and motion, and so blended with the vocal music, that it rendered the performance

far superior to anything I had anticipated. The burthen of the song was the same throughout, consisting of a single stanza, and, as near as I can remember as follows: 'Ho, hoa, ho; ho, al, hoa; hoa, ho, ho; hoa, ho.'

"In traversing the city, I had noticed leopard skins hanging at the doors of several stores, which I concluded had been brought from the Atlantic ports, to be used in making military housings, as I knew that animal was not an inhabitant of our continent. I happened to mention this circumstance to a number of gentlemen at the hotel one evening, when I was informed they were the skins of animals killed in that country. One of the gentlemen told me that he had the skin of one at his house which had been killed the week before, within twenty miles of that city. He invited me to examine it, which I did the next morning, and found that it measured five feet three inches in length, and four feet in breadth. I thought it as beautiful a spotted tiger or leopard skin as I had ever seen. The only remarkable difference that I could recollect was, those I had seen from Africa generally had a darker stripe along the back from the head to the tail; in other respects they appeared to me as skins of the same kind of animal. They are called the spotted tiger in this country, and although not numerous, yet of late years they are frequently met with.

"Wild horses are likewise sometimes seen on the west side of the river. It requires great dexterity to take them, but when once broken they become very useful animals. The sugar-cane is sometimes planted as high up as the Natchez, but only in small patches for curiosity or medicinal purposes, as the frosts are too severe to insure a crop; but from Pointe Coupee, one hundred and forty miles below, the cane becomes the staple quite down to New Orleans. Natchez Heights is the tenth bluff or ridge of the highlands which you pass on that side of the river, and is about one hundred and thirty miles in length, and twenty-five in breadth, and the soil of a most excellent quality. This country likewise exhibits signs of having formerly cherished a population far exceeding anything which has been known in our time. A considerable variety of ancient mounds are found here, some of which are round, others oval, but most of them square, with a small platform on the top. Some of these have been opened, and a single skeleton discovered near the top. Several very curious spec-

imens of their ancient earthenware have likewise been discovered, with singular figures and characters well traced upon them.

"The evening preceding that of my departure from Natchez being beautiful and bright, I walked down to the Levee, in order to give some directions to my boatmen. In passing two boats next to mine, I heard some very warm words; which my men informed me proceeded from some drunken sailors. Although I might fill half a dozen pages with the curious slang made use of on this occasion, yet I prefer selecting a few of the most brilliant expressions by way of sample. One said, 'I am a man; I am a horse; I am a team. I can whip any man *in all Kentucky*, by G - - d.' The other replied, 'I am an alligator; half man, half horse; can whip any *on the Mississippi*, by G - - d.' The first one again, 'I am a man; have the best horse, best dog, best gun, and handsomest wife in all Kentucky, by G - - d.' The other, 'I am a Mississippi snapping turtle; have bear's claws, alligator's teeth, and the devil's tail; can whip *any man*, by G - - d.' This was too much for the first, and at it they went like two bulls, and continued for half an hour, when the alligator was fairly vanquished by the horse.

"I should have been glad to have spent a week or two longer at Natchez, in order to have an opportunity of making a few more observations. From the little I did observe, the inhabitants seemed to indulge themselves in all the ease and luxury of the east."

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CHAPTER XII

DAVID HOLMES, LAST TERRITORIAL GOVERNOR (1809-1817)

GOVERNOR DAVID HOLMES—THE GOVERNOR'S REMOVAL TO MISSISSIPPI —THE SIXTH GENERAL ASSEMBLY—FIRST TERRITORIAL BANK—WILKINSON'S MILITARY ADMINISTRATION UNDER EXAMINATION—REVOLUTION IN THE GULF COAST COUNTRY—MISSISSIPPI IN THE WAR OF 1812 —OPENING OF THE CREEK WAR—THE MASSACRE AT FORT MIMS— MISSISSIPPI CAVALRY SENT TO THE FRONT—JACKSON MARCHES DOWN FROM TENNESSEE—CLAIBORNE DESTROYS THE HOLY CITY OF THE CREEKS—GENERAL CLAIBORNE'S SERVICE CONCLUDED—JACKSON'S ADVANCE TO PENSACOLA—BRITISH OCCUPY MISSISSIPPI SOUND —DEFENSE OF NEW ORLEANS — LAST TERRITORIAL ASSEMBLIES — APPROACHING STATEHOOD—LIST OF TERRITORIAL OFFICIALS.

Mississippi was particularly fortunate in the character of the Governor who guided her affairs in the epochal transition of the Commonwealth from Territory to State. It was fortunate not only that the character of the chief executive was able, honest and balanced, but that one so capable of guiding the destinies of a new State clothed with larger powers was in vital touch with all the details of the expiring territorial government.

GOVERNOR DAVID HOLMES

David Holmes, of Virginia, who succeeded Robert Williams as Governor of the Mississippi Territory, was one of President Jefferson's last appointees. Jefferson retired from the presidency on the day following Governor Williams' dissolution of the Mississippi Territorial Assembly, and the commission of the new chief executive was ratified by the United States Senate on the 4th of March, 1809.

Governor Holmes was in his forty-first year when he was confirmed as Governor of the Territory. He was of a prominent Virginia family of British-Irish ancestry. His father was a merchant and prominent in the politics of the Old Dominion, while his elder brother, Hugh Holmes, was one of the most brilliant lawyers of Virginia and one of its ablest judges. They were all

GOV. DAVID HOLMES
From an oil portrait in the Mississippi Hall of Fame

stanch Jeffersonian Republicans, a political organization that later became the Democratic party. But David Holmes made his way in politics, as in the general social life of his day, not by brilliancy and aggressiveness, but by his kindness, persuasiveness and even gentleness, combined with true courage, intelligence of a high order, culture and good breeding. These qualities retained him in the national House of Representatives from 1797 to 1809, through six congresses. He was a classical scholar, a good lawyer, and a courteous, learned gentleman after Jefferson's own heart and politics. The district which he represented so ably in Congress for twelve years included the counties of Rockingham and Shenandoah, and from its overwhelming Republican sentiment and vote became known as the Tenth Legion.

THE GOVERNOR'S REMOVAL TO MISSISSIPPI

Governor Holmes' commission as Governor of the Mississippi Territory was dated March 7, 1809, and signed by President Madison. Two days later he was sworn into office by John Marshall, Chief Justice of the United States, and at once started for Washington, the frontier capital of Mississippi Territory. Judge D. H. Conrad, an eminent jurist of Virginia and a nephew of Goverernor Holmes, has furnished a valuable and graphic sketch of his life and character, written in 1859. He thus refers to his removal to Mississippi Territory:

"I well remember the time, just fifty years ago, when Governor Holmes left his native place for the then unknown Territory of Mississippi. I mean unknown to most of his friends here. There had been no such intercourse between the valley of Virginia and the recently purchased country at the mouth of the great river, as there had been perhaps between the South and some portions of the trans-Allegheny counties on the Ohio. Nor was there any overland trade further than east Tennessee. Pack horses were driven every year from Tennessee laden with peltries and venison, through the valley, returning with salt generally, and sometimes cattle were driven in. But a large tract of country from Tennessee to Natchez was still inhabited by Indians and was called the Indian Country. Though not always necessarily hostile, the travel through that region was not as safe nor as comfortable as it is now through the Territories west of the Mississippi held by the relics of these formidable tribes then holding the

Alabama country. The title of the new region was not in the common parlance Mississippi, but the Natchez (District).

"The Governor took out with him the servants who fell to him in the allotment of the negroes of the Grove estate after his mother died, three years before. These simple but attached people were regarded by us children as heroes and heroines in their cheerful willingness to go to the Natchez with Master Davy."

THE SIXTH GENERAL ASSEMBLY

Governor Holmes arrived at Washington in time to address the meeting of the House of Representatives, July 3, 1809. At the special session, then called the lower house of the assembly made various nominations for the council, or upper body. In September, in compliance with these nominations, President Madison appointed the following as members of the council: Alexander Montgomery, Adams County; David McCaleb, Jefferson County; Thomas Barnes, Claiborne County; Joseph Carson, Washington County; Joseph Roberts, Wilkinson County.

FIRST TERRITORIAL BANK

The Sixth General Assembly, which convened in November, 1809, passed nearly fifty acts. One of the most noteworthy was that which established the Bank of Mississippi at Natchez. An unsuccessful effort had been made in 1805 to found a branch of the Bank of the United States at that point. The Bank of Mississippi, which was created by an act passed December 25, 1809, was an independent institution, founded to promote the "agricultural and commercial interests" of the Territory. Its headquarters was at Natchez; capital stock limited to $500,000. Francis X. Martin, Ferdinand L. Claiborne, John Steele, Abner Green, Abijah Hunt, Samuel Postlethwait, Ebenezer Reese, Cowles Mead, Joseph Sessions, William B. Shields, Winthrop Sargent, Alexander Montgomery and Lyman Harding, were authorized to receive subscriptions in the sum of $50,000. As soon as that amount should be subscribed, the subscribers, "their successors or assigns," should be incorporated as "the president and directors and company of the Bank of Mississippi," and should so continue until December 31, 1834. In the rules and regulations laid down for the government of the bank it was specified that the total amount of bills emitted by the corporation should never exceed three times

the amount of the capital stock "actually paid in." The thirteen directors were made individually liable for any excess over that amount. The bank began business with $100,000 stock paid in, and Stephen Minor as its first president. For twenty-one years the Bank of Mississippi did credit to the financial stability of the Territory and State. Only once was its financial management criticised. It was then triumphantly vindicated, when it was ascertained that failure of the bank to pay specie was caused by its plan to keep the gold from the hands of the British in 1814.

The young Territory, which reached eastward from the Mississippi to the Florida line, was beginning to show permanent signs of progress. In December, 1809, the new counties of Wayne and Warren were created, both in the eastern and western sections of the Mississippi Territory, thereby enlarging the representation in the General Assembly.

WILKINSON'S MILITARY ADMINISTRATION UNDER EXAMINATION

At the time of the arrival of Governor Holmes to assume office, the mortality of the troops under General Wilkinson, commanding the seventh military district, had become so alarming as to call for some investigation by the war department. During the summer of 1808 war with Great Britain was so threatening that the United States authorities ordered a large body of regular troops to New Orleans under the immediate command of General Wilkinson. A malignant scurvy swept the ranks of the United States soldiers, most of whom were unaccustomed to the malarial country in which they had been stationed. In the middle of September, while the mortality was at its height, the weak, suffering and dying men were placed aboard boats and barges and poled and rowed upstream. Six or seven weeks were consumed in this terrible voyage to Fort Adams and Fort Dearborn, and when the survivors were finally cantoned on the Mississippi highlands, 240 men had died, 638 were on the sick list and scarcely 100 remained fit for duty.

The troops in command of General Wilkinson, in the spring of 1808, had numbered nearly 2,000 of all ranks and grades. Of these 764 had died and 166 had deserted. In the month of August 563 had been on the sick list at one time. Such had been the mortality among the troops under General Wilkinson that he was suspended from his command, on December 19, 1809, and suc-

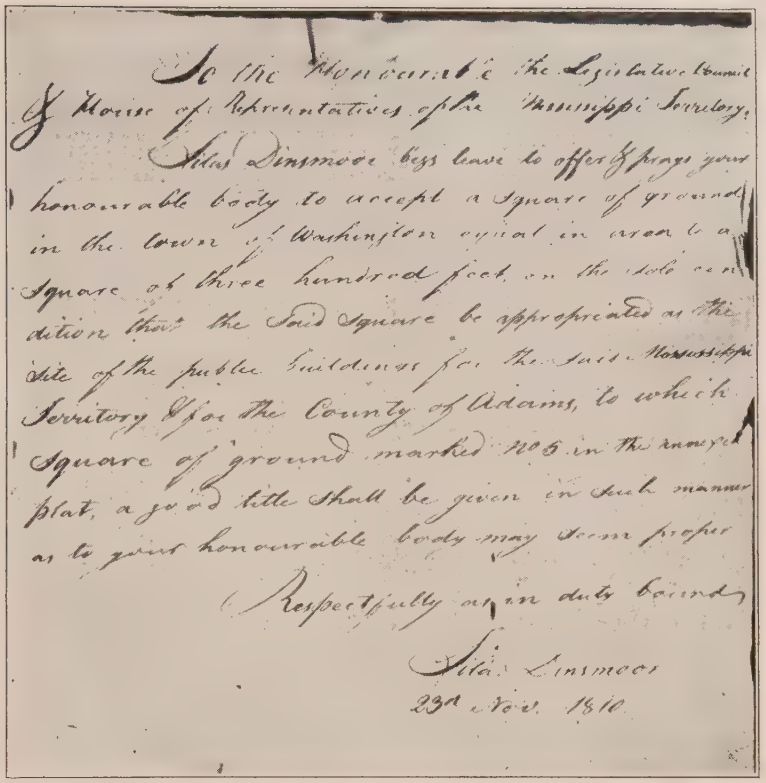
ceeded by General Wade Hampton. Wilkinson was summoned to Washington to submit his military and official conduct to the scrutiny of a court of inquiry.

REVOLUTION IN THE GULF COAST COUNTRY

The continued occupation of the Baton Rouge district by the Spanish authorities was especially repugnant to its settlers, who were largely American. Not a few had migrated from the Ohio country and from the Mississippi and Orleans Territories, awaiting the time when the district and West Florida should be formally claimed by the United States. Throughout much of 1809 the border warfare led by the anti-Spanish Kempers continued in the vicinity of Pinckneyville and gave Governor Holmes much trouble. In June, 1810, he wrote to the Secretary of State referring to the alarming state of uncertainty on the territorial border, the inhabitants of which were divided into American, British, Spanish and French adherents. The French had been ordered out of the country and most of them had moved into Orleans Territory. In this state of anarchy, there was nothing to be apprehended except from the interference of Great Britain.

In the following month Governor Holmes noted the meeting of the Feliciana convention, representing the upper districts of West Florida. Open rebellion was not expressed, although the purport of the gathering was generally understood to be pro-American. Later in July and August there were meetings at Baton Rouge, representing other districts of West Florida, proposing the adoption of constitutional government. While the Spanish Governor had shown no unfriendliness toward these movements, it was discovered toward the last of September that he had sent to Pensacola for a reenforcement of troops.

The American party of the Baton Rouge district at once gathered its forces near St. Francisville and under Colonel Philemon Thomas attacked the fort on September 23, 1810. The attacking force was less than a hundred, as was the garrison at Baton Rouge. In the lively engagement within the walls of the fort Lieutenant Louis de Grand Pré, son of the old Natchez commander who had died during the preceding year, was killed. The town of Baton Rouge soon afterward surrendered. The Spanish troops and the civil authorities were permitted to retire peaceably to Pensacola.



To the Honourable the Legislature Council & House of Representatives of the Mississippi Territory.

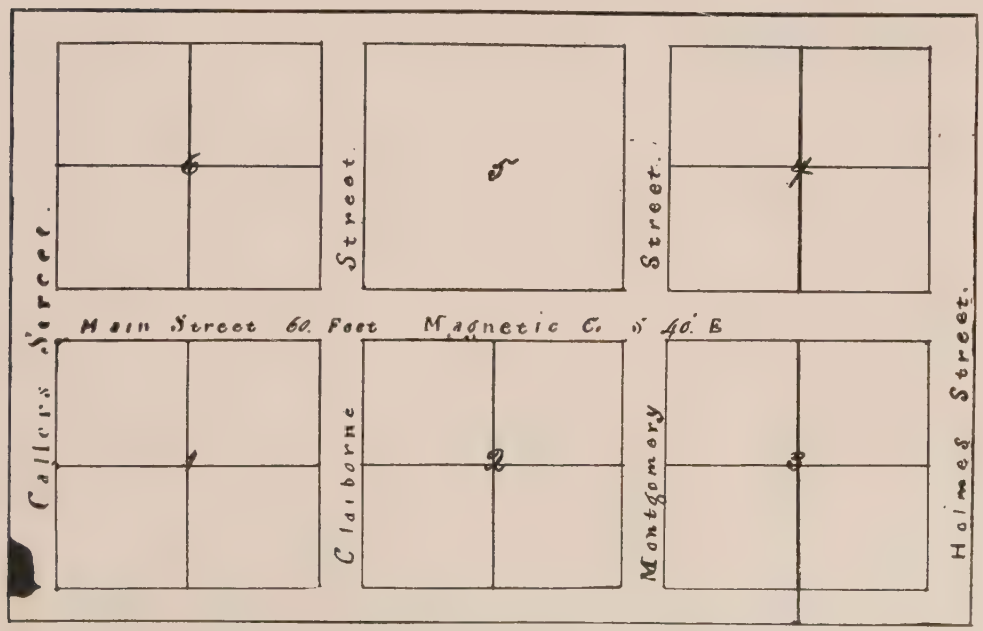
Silas Dinsmoor begs leave to offer & prays your honourable body to accept a Square of ground in the town of Washington equal in area to a Square of three hundred feet on the following condition that the said Square be appropriated as the site of the public buildings for the said Mississippi Territory & for the County of Adams, to which Square of ground marked No 5 in the annexed plat, a good title shall be given in such manner as to your honourable body may seem proper

Respectfully your in duty bound

Silas Dinsmoor

23d Nov. 1810

DOCUMENT FROM SILAS DINSMOOR



MAP OF WASHINGTON, THE TERRITORIAL CAPITAL OF MISSISSIPPI, WITH ACCOMPANYING DOCUMENT FROM SILAS DINSMORE

Three days after the fall of the fort and town of Baton Rouge a convention assembled to form a provisional government for the Florida Territory. Its members declared themselves independent of "a government which no longer protected them," and proclaimed "the Territory of West Florida a free and independent state." A constitution was then adopted, a form of government organized under the name of the State of Florida, and Fulwar Skipwith elected president.

On the 11th of October, through its president, John Rhea, the convention applied for the admission of the new State into the Union without delay, "since our weak and unprotected situation will oblige us to look to some foreign government for support, should it be refused by the country which we have considered our parent State." The application was transmitted through Governor Holmes.

On the 27th of October, 1810, President Madison issued his proclamation announcing that William C. C. Claiborne, Governor of the Territory of Orleans, was empowered to take possession of the country known as West Florida and place it under his jurisdiction. The territory south of the Mississippi Territory eastward to the Perdido River had been conveyed to the United States as a part of Louisiana. Governor Claiborne was instructed that if troops were needed to establish his jurisdiction the commanding military officer on the Mississippi and Governor Holmes would support him.

In the meantime, the Governor had organized the territorial militia to meet possible emergencies and in December Governor Claiborne arrived at Natchez from a visit to the old Middle States to take formal possession of West Florida under authority of the presidential proclamation. The Natchez Rifles and the Adams Troop of Dragoons accompanied Governor Claiborne to St. Francisville and Baton Rouge, and by proclamation the chief executive declared West Florida incorporated into the Territory of Orleans. The parishes of Feliciana, East Baton Rouge, St. Helena, St. Tammany, Biloxi and Pascagoula were established. The district and town of Mobile, with Fort Charlotte, were not included in the reorganization, as Governor Claiborne had been especially instructed to make no forcible occupancy of any territory in which the Spanish authority was respected. Mobile was left in possession of the Spanish government until the War of 1812.

The parishes of Biloxi and Pascagoula were established in January, 1811. Dr. William Flood of New Orleans was sent by Governor Claiborne to organize them. First, he delivered to Simeon Favre, an educated and prosperous planter on the eastern bank of the Pearl River, his commission as justice of the peace for the parish of "Viloxy," a copy of the civil code of the Territory and the laws and acts of the legislature. According to instructions, the Governor's delegate proceeded from Pearl River to the Bay of St. Louis and Pass of Christian, where on the 9th of January, 1811, he hoisted the flag of the United States. Captain and Dr. Flood also commissioned Philip Saucier as a justice of the peace and furnished him with his official legal library. Jacque L'Adner was appointed justice of the peace at the "Bay of Viloxy." He reports that Mons. L'Adner "can neither read nor write, nor can an inhabitant of the "Bay of Viloxy." But he added that the appointee was furnished at the same time "with a copy of the civil code of the Territory, and with the laws and different acts of the legislature." Captain Flood hoisted the flag of the United States at the mouth of the Pascagoula River, on January 13, 1811, and appointed Fortescue Coming, Benjamin Goodin and George Farragut as justices of the peace for Pascagoula parish. Dr. Flood was having the same trouble in this country as in the Biloxi district to find anybody who could read or write, but George Farragut was an exception and as the inhabitants in the parish "expressed great confidence and attachment" to the young sailing master, he was prevailed upon to accept the commission as justice of the peace. The father of Farragut subsequently filled the same position with credit. The conclusion of Dr. Flood's report is apropos:

"The whole population of the parish of Viloxy, from the best information I could collect, may be estimated at 420; that of the parish of Pascagoula, 350, principally French and natives of Louisiana, a people more innocent and less offending than any I ever saw. They seem to regard nothing but the immediate necessities for the support of life and are much pleased at being attached to and protected by the United States.

"How sensibly have I been impressed with the advantages that part of Louisiana (which has lately been taken possession of) is to the United States and particularly to the inhabitants of the Mississippi! The high sandy soil covered with pine and the

beautiful bays and rivers which empty into the sea from Lake Pontchartrain to the bay of Mobile, seem to promise full recompense for the unhealthful climate of New Orleans. It is my opinion in a military point of view, for the protection of the country and ensuring health to the officer and soldier; the Pass of Christian and mouth of the Pascagoula cannot be surpassed nor equaled in the Mississippi Territory or that of Orleans."

President Madison refused to recognize the State of West Florida, but the clash between its Governor and Governor Claiborne, of Orleans Territory, who had been authorized to incorporate West Florida under his jurisdiction, was of short duration and insignificant effect. Under rather feeble protest Fulwar Skipwith, the president of the insurgent republic, allowed its ensign—a flag of blue bearing a silver star—to be replaced by the stars and stripes in the Baton Rouge District. Reuben Kemper was sent to establish the authority of the new government at Mobile, while the leader of the rebels in the Pascagoula region was Sterling Dupree. His residence was on the river just south of the Ellicott line, and on December 4th, after the arrival of Lieutenant Farragut of the United States navy, the flag of the Lone Star State, or Republic was raised at Dupree's. Two schooners were seized by the insurgents, and when Farragut left on the 13th "the settlements on the Bay St. Louis, Biloxi, Pascagoula and the Bayou Batrio, were considered as under the jurisdiction of Peter Nicola, who acted as commander under the authority of the Baton Rouge convention."

With the appearance of Dr. Flood as the special envoy of Governor Claiborne and the federal government, all opposition ceased. In January the former insurgents raised the United States flag at Dupree's, Kemper dismissed his men and the national colors were also raised by Captain Flood at another point in the Pascagoula parish. So that West Florida was at last completely occupied by the American authorities.

Shortly before the declaration of war between Great Britain and the United States in 1812 and not long after the State of Louisiana was admitted to the Union, the Mississippi Territory extended its domain south of the thirty-first degree of latitude to the Gulf of Mexico. An outlet was thus secured for the Bigbee and Tensaw districts. It was by congressional act of May 14, 1812, that this gulf region was annexed to the Territory be-

tween the Pearl and the Perdido rivers, and the western boundary between Mississippi and Louisiana thus defined.

MISSISSIPPI IN THE WAR OF 1812

In her *Mississippi Territory in the War of 1812* covering the Creek War and Gen. Andrew Jackson's coast campaign against the British, Mrs. Dunbar Rowland has in a revision of its first edition given the best history of this period from the standpoint of Mississippi history, and from her volume the following account has in substance been largely drawn. In the first chapter she points out that with the exception of the battle of New Orleans, the main events in the South in connection with the War of 1812 occurred within what was then the Mississippi Territory. The peaceful occupation of Fort Charlotte and Mobile in April, 1813, and the displacement of Spanish by American troops constituted the first aggressive act directed against Great Britain. It was known that if the Americans did not occupy Mobile, the British would; but, although the country between the thirty-first degree and the gulf, and the Pearl and Perdido rivers, had been annexed to the Mississippi Territory, the Mobile district had been left in possession of the Spanish authorities until war with Great Britain made its occupancy a military necessity. Not only was this important step taken within the limits of the Territory, but the fierce war with the Creek Indians, during the last months of 1813, and the early portion of 1814 was fought wholly within the confines of what was then eastern Mississippi. Not only is this true, but Mississippi troops and Mississippi leaders, both civil and military, shared largely in the victories over the Creeks in 1813. Gen. Andrew Jackson's further campaigns of the following spring completed their subjection.

In a letter written to Secretary Monroe, on July 14, 1812, Governor Holmes says: "The intelligence of a declaration of war by the United States against Great Britain (June 18th) was received by the citizens of this part of the country with great satisfaction, from a thorough belief that no other course would secure the government from degradation. You may rest assured, sir, that the measure will meet with all the support that the people of the Mississippi Territory are able to give it."

Ferdinand L. Claiborne, brother of the Governor and a close associate of General Wilkinson, had been brigadier-general of

the territorial militia for about a year and was now called upon to form a regiment for active service. General Wilkinson was to supply guns and ammunition. On the 18th of August, 1812, less than thirty days after the order to mobilize had become generally known, General Claiborne reported to Governor Holmes that the entire quota from the First, Second, Third, Fourth, Tenth, Eleventh and Thirteenth regiments had been enrolled, and virtually without resort to a draft, except in Adams County. On September 19th a steamer arrived at Natchez with arms and camp equipment, and by the latter part of the month about 600 men were in camp at Washington. A further detail of about 300 was ordered, and General Claiborne was placed in command of the regiment, which began its march to Baton Rouge on the 3d of November.

In January, 1813, was begun the organization of the First Regiment of Mississippi Territory. Cowles Mead was first commissioned as colonel and Joseph Carson as major, but Mead soon resigned to make a canvass for congressional delegate and Carson was named colonel.

Colonel Carson was already a prominent lawyer and public man of the Tombigbee district, and was to share the military honors of the Creek War with General Claiborne, and the dashing Thomas Hinds in command of the Mississippi Dragoons.

In March, 1813, F. L. Claiborne was commissioned brigadier general of volunteers in the United States service and, with that rank, was placed in command of a brigade comprising the First Mississippi Infantry and a Louisiana regiment. He was ordered to Fort Stoddert, on the Tombigbee, the center of American influence with the Choctaws and an outpost to guard the territorial frontier against the threatening Creeks.

OPENING OF THE CREEK WAR

Perhaps as a direct result of Tecumseh's visits to the Creeks in the previous year the old Creek confederacy had been revived and strengthened and a definite war party formed. This was the situation, in the spring of 1813, when General Claiborne was ordered to the Tombigbee with his brigade to watch the Creek frontier. He reached Mount Vernon on the 30th of July, but not before the opening of the war with the Indians on the frontier along the Tombigbee and Alabama rivers. The initial engage-

ment was known as the battle of Burnt Corn and was fought on July 27, 1813, between 300 picked warriors of the Creek nation and about half as many territorial volunteers under Colonel James Caller, the senior militia officer of Washington County.

The Indians had started for their camp at the Holy Ground, or capital of their nation, and were moving from Pensacola "whither they had been for a supply of arms and ammunition promised them by the Spanish and to come in touch with the British in the Southern seas." The Creeks were in command of Peter McQueen, a noted war chief. This picked war party had formed camp at the famous spring on Burnt Corn Creek and were recklessly attacked by Colonel Caller's smaller and inferior force of irregulars. At first surprised, the Creeks retreated, but while the white men were looting their camp, renewed the battle and forced Caller's men from their position.

There were more than a score of stockades and forts along the Tombigbee and Alabama rivers to be used in this frontier war with the Creeks. Mount Vernon, a port of entry forty-five miles from Mobile, was General Claiborne's headquarters. Four miles away was Fort Stoddert. There was a United States arsenal at that place; the landing on the Mobile River was known as Arsenal wharf. Five miles north was the head of Mobile River, caused by the union of the Alabama and Tombigbee rivers.

When General Claiborne arrived at Mount Vernon, he found the inhabitants of the eastern frontier greatly alarmed at the uprising of the Creeks and especially over the outcome of the engagement at Burnt Corn. He inspected the defences already constructed, distributed his forces at threatened points and commenced the building of a fort at the Fort Madison settlement, then on the eastern edge of Clarke County. Colonel Carson, with 200 troops, was sent to the vicinity; Colonel Scott was dispatched to old Fort St. Stephens, and two companies were sent to garrison a stockade called Fort Mims. It was the only fortification in the Mississippi Territory east of the Alabama, was nearest Pensacola, and was therefore especially exposed to attack.

THE MASSACRE AT FORT MIMS

The stockade known as Fort Mims enclosed the residence of Samuel Mims, an old and wealthy Indian countryman who was the first treasurer of Washington County in 1800. It embraced

about an acre of ground, had two ponderous gates for entrances and was closely approached by woods and canebrakes. When General Claiborne reached Mount Vernon he visited the stockade on August 7th and ordered the fort enlarged. Altogether there were about 105 soldiers at Fort Mims commanded by Major Daniel Beasley. The population of the surrounding settlement, white, Indian and negro, was placed at 550.

The attack on Fort Mims is thought by some historians to have been occasioned by the assault of Colonel Caller's man upon the Creeks at Burnt Corn, but from all investigation it is certain that the Creeks at this period were under the influence of the British. The Indian leaders at this time were Peter McQueen and the Prophet Joseph Francis, who led the war party, and William Weatherford, an able half-breed descendant of the famous Alexander McGillivray. There is considerable difference of opinion as to Weatherford's leadership previous to the time of the actual attack on the stockade.

A few days before the massacre a fresh supply of whiskey had been received, and the feast and the dance went on apace when the noon of August 30th was announced by the usual drum-beat for dinner. Before those within the stockade could respond to the peaceful summons the signal for attack was instantly answered by the painted and feathered Creek warriors, who were stealing through the deep woods and tall canebrakes toward the fort.

It is said that the shifting sand had undermined the eastern gate of the stockade, which was swinging wide open on August 30th. The sudden yells of the savages overwhelmed the gay chatter and laughter of the revelers within. Of the attack on the fort the author of *Mississippi Territory in the War of 1812*, says:

"As Weatherford and his warriors sped swiftly towards the gate, Major Beasley ran forward and vainly essayed to close it. The Indians struck him fiercely with their clubs and tomahawks and, supposing him dead, rushed over his body into the fort. In a dying condition the stricken officer crawled behind the gate, where he shortly expired. While in the throes of death historians record that he tried to rally his men, persistently calling upon them to save the fort. Whatever may have been the offense in the neglect of duty, that he died bravely none will dispute.

"Among others to bravely meet death during the first hours

of resistance were Captains William Jack and Hatton Middleton, commanding the two companies of the Mississippi volunteers from near Natchez whom General Claiborne had sent to assist in the protection of what he knew to be a weak point of resistance. The massacre had lasted two or three hours, when there was a slight cessation of hostilities, to be immediately renewed, some historians assert, when the Creeks had been reenforced and placed under the leadership of the illustrious Red Eagle. This assertion, however, was always denied, by Weatherford himself."

Judge Harry Toulmin, who had been one of the most prominent men in Washington County for nearly a decade and was still on the bench, was residing on his plantation near Fort Stoddert at the time of the massacre. His account of the attack on Fort Mims, based, as he says, upon the statements of "a person of character and credibility, who was present during the whole scene and who escaped through the opening made in the pickets," is as follows:

"The gate was open. The Indians had to come through an open field 150 yards wide before they could reach the fort, and yet they were within fifty steps at eleven in the morning before they were noticed. The sentry then gave the cry of Indians, and they immediately set up a most terrible war whoop and rushed into the gate with inconceivable rapidity and got within it before the people of the fort had any opportunity of shutting it. This decided their fate.

"The fort was originally square. Major Beasley had it enlarged by extending the lines of two sides about fifty feet and putting up a new side into which the gate was removed. The old line of pickets stood and the Indians on rushing into the gate obtained possession of this additional part, and through the port holes of the old line of pickets fired on the people who held the interior. On the opposite side of the fort an offset, or bastion, was made round the back gate, which being opened on the outside was also taken possession of by the Indians, who with the axes which lay scattered about began to cut down the gate.

"There was a large body of Indians, though they probably did not exceed 400. Our people seemed to sustain the attack with undaunted spirit. They took possession of the port holes in the other lines of the fort and fired on the Indians who remained in the field. Some of the Indians got on the blockhouse at one of

the corners; but after firing a good deal down upon the people they were dislodged. They succeeded, however, in setting fire to a house near the pickets, from which it was communicated to the kitchen and thence to the main dwelling house. They had attempted to do it by burning arrows, but failed. When the people in the fort saw that the Indians retained full possession of the outer court, that the gate continued open, that their men fell very fast and that their houses were in flames, they began to despond. Some determined to cut their way through the pickets and escape.

"Of the whole number of white men and half breeds in the fort, it is supposed that not more than 25 or 30 escaped, and of these many were wounded. The rest, and almost all the women and children, fell a sacrifice to the arms of the Indians or the flames. The battle terminated about an hour or an hour and a half before sunset.

"Our loss is seven commissioned officers and about 100 non-commissioned officers and privates, of the First Regiment of Mississippi Territory volunteers. There were about 24 families of men, women and children in the fort, of whom almost all have perished, amounting to about 160 souls. I reckon, however, among them about six families of half breeds and seven Indians. There were also about 100 negroes, of whom a large proportion were killed."

The news of the massacre appears to have been first brought to Fort Stoddert by Hester, a negro woman, who, although shot in the breast, paddled a canoe to the American headquarters and notified General Claiborne of the casualty. On September 9th, Capt. Joseph P. Kennedy, brigade major, arrived at the ruins of Fort Mims to bury the dead. His detachment buried the bodies of 247 men, women and children, former inmates of the stockade, and, while searching the adjacent woods for bodies, at least 100 corpses of Indians were discovered. The total loss of the Creeks is unknown, even approximately.

MISSISSIPPI CAVALRY SENT TO THE FRONT

The Fort Mims massacre hastened the organization of a cavalry battalion to support General Claiborne in his difficult task of protecting the southern settlements of the eastern Mississippi territory against the attack of the Creeks. It promised

to be a guerrilla warfare, especially if the cautious, not to call it stubborn policy, of General Flournoy was followed. Flournoy had succeeded General Wilkinson in command of the military division which embraced the theater of war. The commander-in-chief was an eminent Georgia lawyer, but seemed unable to handle the situation.

But in September, 1813, the energetic and able Governor Holmes called out the Mississippi Dragoons. They comprised the Jefferson Troop, Captain Thomas Hinds; the Adams Troop, Captain James Kempe; the Madison (Alabama) Troop, Captain A. J. Richardson, and the Amite Troop, Captain Dunn. Altogether, there were about 200 dragoons or cavalrymen. Captain Hinds was promoted to major commanding and Dr. William Lewis was appointed surgeon. Major Hinds became the most noted cavalry officer in the War of 1812 and was close to both General Claiborne and General Jackson, who greatly admired him. Captain Kempe, a former Virginian, of the Adams Troop, also made a fine record in the New Orleans campaign, but is chiefly noted in Mississippi history as the grandfather of Mrs. Jefferson Davis.

On September 23, 1813, the Mississippi Dragoons, with the Third U. S. Infantry, started for the Tombigbee and General Claiborne's headquarters at Mount Vernon. When the horsemen arrived at the frontier they found the Creeks, led chiefly by Weatherford and the Prophet Francis, everywhere active. Colonel Carson was in immediate command of the Territory between the Alabama and Tombigbee, and soon after the arrival of the Mississippi cavalry General Claiborne ordered him, with Major Hinds, to evacuate Fort Madison and march to Fort St. Stephens as a place of greater safety. The Indians had already murdered settlers in the vicinity of Fort Sinquefield, and the stockade itself had been attacked. The inmates of Fort Sinquefield had transferred themselves and some of their effect to Fort Madison. Then Colonel Carson temporarily evacuated Fort Madison, leading about 500 settlers to Fort St. Stephens. Afterward, General Claiborne decided that it would be safe and best to reoccupy Fort Madison, which was done. The settlers also returned, being assured of adequate protection.

In September, October, November and December, Major Thomas Hinds, with his Mississippi dragoons, was closely associated with General Claiborne in the valley of the Tombigbee,

keeping in check the bands of hostile Indians. During this period, also, through the statesmanship of Governor Holmes and General Claiborne, the Choctaws had offered their military support to the Americans. They were led to form this alliance by their celebrated chief, Pushmataha. The Chickasaws also joined the federation, which was a master stroke in the successful defense of the coast against British invasion.

JACKSON MARCHES DOWN FROM TENNESSEE

General Claiborne, Colonel Carson and Major Hinds, with the Mississippi troops, held the southern field of war against the Creeks, while Andrew Jackson was marching down with the troops from Tennessee. The first pitched battle between the Tennesseeans and the Creeks was fought at the town of Tallussahatchie, not far from Fort Deposit, in what is now Lowndes County, south of the central part of Alabama. Jackson had established his headquarters at Fort Deposit and after examining the Creek town and its defenses sent Brigadier-General Coffee, with 1,000 stanch Tennessee riflemen, to destroy the place. The battle began at sunrise on November 3, 1813, and the town was destroyed with all its men, women and children. As General Jackson wrote to Governor Blount, of Tennessee: "We have retaliated for the destruction of Fort Mims."

Jackson then moved to Ten Islands, where he erected Fort Strother; thence to Talladega, which he destroyed with frightful loss to its defenders. During the last week of autumn, on November 29, 1813, General Floyd, with 950 Georgia militia, supported by two friendly Indian chiefs and 400 warriors, attacked the Creek town of Autossee, on the south bank of the Tallapoosa near its union with the Coosa. The locality was not far from the present site of the beautiful and historic city of Montgomery. The author of *Mississippi Territory in the War of 1812* has this to say of the destruction of the town and of this portion of the Creek country, so fiercely defended by the natives:

"In the battle which also partook largely of a massacre, the town was completely destroyed, with several other inland villages, notable among them the Apple-grove, the birthplace of the renowned half-breed chieftain, William McGillivray, whose descendants were equally divided between the contending forces. In many of these skirmishes the fights assumed the proportions

of real battle. The Indians whose country was being invaded and desolated were now fighting for the preservation of their race, homes and hunting-grounds and, though savage and untutored, they were as much attached to their native heath as the Anglo-Saxon had ever been to his. While now rarely on the aggressive, as they had been earlier in the war, at Fort Mims and throughout the southern district, no fiercer resistance was ever offered by a people than that with which they met Jackson when attacked on their own soil and by superior numbers."

CLAIBORNE DESTROYS THE HOLY CITY OF THE CREEKS

The spirit of the Creek Nation was largely shattered by General Claiborne when in December, 1813, his troops destroyed its Holy City, deemed impregnable both by its prophets and its warriors. It was a fortress of two hundred houses planned and constructed by Weatherford, on the south bank of the Alabama River, just below Powell's ferry in what is now the county of Lowndes, Alabama. A rude citadel, planted on a little peninsula, jutting out into the river and set in the deep forest, it was surrounded on the land side by marshes, slashes and bayous. The Holy City—or Holy Ground, as it is frequently called—not only represented the military prowess of several thousand Creek warriors, but was the center of the nation's superstition and of its hatred of the whites. Here its prophet ordered all prisoners burned at the stake and the city was held as "holy ground" which could never be profaned by the presence of the white race.

General Flournoy, the commander-in-chief, had been brought over to decisive thinking and action, and General Claiborne was given free rein in the prosecution of his campaign to sever all connection between the Creeks and Pensacola. The first step in the accomplishment of that purpose was to destroy the Holy City of the Creeks, and, with it, break their spirit of resistance beyond recovery. General Claiborne broke camp at Pine Level, in Clarke County, and on the 17th, crossed the Alabama River and halted at Weatherford's Bluff, where he built the fort known as Claiborne. The locality was on the east bank of the Alabama, thirty-five miles above Fort Mims. Here he halted to communicate with Governor Holmes and General Jackson and to await the arrival of the Third United States Infantry and other reenforcements. He had with him Colonel Carson's troops and the Choctaw chief, Pushmataha,

with over fifty of his warriors. General Claiborne's command had been greatly depleted by sickness, as well as by the expiration of the terms of enlistment of many of his men, and both clothing and food were scant. But new spirit was instilled when it was known that the movement against the stronghold of the Creek Nation was an important, if not the decisive, action of the war. In his letter to Governor Holmes written at Fort Claiborne the general says: "I am now on the east bank of the Alabama, thirty-five miles above Mims, and in the best part of the enemy's country. From this position we cut the savages off from the river and from their growing crops. We likewise render their communication with Pensacola more hazardous. Here will be deposited for the use of General Jackson a supply of provisions and I hope I shall be ordered to coöperate with him. I have with me Pushmataha, who with fifty-one warriors accompanied by Lieutenant Calahan of the volunteers will march this morning and take a position to intercept more effectually the communication of the enemy with Pensacola."

By December 13th the American army of invasion under General Claiborne was ready for the general advance. It was 1,000 strong and comprised Colonel Carson's Regiment of Mississippi Volunteers, the Third United States Regiment of Infantry (largely recruited from Mississippi), Major Cassell's Battalion of Horse, and a battalion of militia commanded by Major Benjamin Smoot and having among its officers a number of noted border fighters. Added to this force of chilled and thinly clad white troops, but cheerful and grim with determination, was Pushmataha's band of picked Choctaw warriors, who had been faithfully practicing with the new rifles which had been supplied from Fort Madison.

Steadily winding through the deep woods for more than a week, the Americans camped eighty miles from Fort Claiborne, near Double Swamp, in the present county of Butler. There a stockade was erected and, leaving within it the sick, with the baggage and teams of his command, the commander headed his little army for the Holy City, about thirty miles away.

On the 23d of December, 1813, the Americans approached the Holy City in three columns, General Claiborne riding at the head of the calvalry. Cheered on by their prophets and by the doughty Weatherford, who directed the fighting, the Creek war-

riors met the assaulting columns at the brink of a ravine, one of the strongest natural protections of their city. Both in the open and from heavy log breastworks, with demoniacal and deafening shouts, the red men poured a storm of bullets and arrows into the center column advancing under Colonel Carson. Within thirty minutes, however, all of Claiborne's men, with the Choctaw warriors, were steadily pressing into the Holy City and were driving the enemy into the Alabama. Weatherford was the last to quit the battlefield, and escaped to do further mischief. His spectacular plunge over a cliff into the river on his noble horse "Arrow" is a picture drawn with many variations by Mississippi and Alabama historians.

On advancing into the great square of the captured city a number of half-breeds who had been friendly to the whites were found tied to stakes, with wood piled around them, ready to be burned. The saving of human life is always a supreme act, but from an historical point of view the capture of the documents in Weatherford's house was of more importance; for a number of letters were found from the Spanish authorities at Pensacola showing their close relations with the savages. In transmitting them to the war department, General Claiborne said: "Seize Pensacola and you disarm the Indians. It is the real heart of the Creek Confederacy."

General Jackson shared Claiborne's conclusion—that the seizure of Pensacola was the keynote of successful operations against both the Spanish authorities and the open British enemy, and his quick decisive action later was one of the master strokes in defense of the Gulf Coast.

GENERAL CLAIBORNE'S SERVICE CONCLUDED

The wreck of the Holy City was General Claiborne's last important service to the Territory and the nation. Although the term of two-thirds of his volunteers had expired, eight months' pay was due them and they were suffering for clothing, they concluded the grim work which they had accomplished at the Holy City and, after reducing it to ashes, laid waste the surrounding country.

While thus defending the Territory, General Claiborne received a letter from Gen. Andrew Jackson, dated December 18, 1813, urging him to remain at Weatherford's Bluff until further

advices. This determined the return to Fort Claiborne and thence to Fort Stoddert, Claiborne's original headquarters. It was from the latter point, on January 14, 1814, that General Claiborne addressed his last official communication to the Secretary of War:

"The term of service of the volunteers enrolled in this Territory and Louisiana, composing my brigade, having generally expired, there being only sixty left who have yet a month to serve, I am left without a command, and will myself leave this frontier for Natchez in a few days by permission of General Flournoy. In my previous letter I stated the circumstances that prevented me from marching, after the battle of Eccanachaha, to the Quewallie towns, forty-five miles above, where McQueen was reported to be. We were destitute of supplies. My whole command, on their return march, subsisted for four days on parched corn, and were nine days without meat. The expectation of finding beef in the course of our march, the want of transportation and the neglect of the contractor, occasioned this. My volunteers are returning to their homes with eight months' pay due them and almost literally naked. They have served the last three months of an inclement winter, without shoes or blankets and almost without shirts, but are still devoted to their country and properly impressed with the justice and necessity of the war."

When General Claiborne returned to his family in Natchez, the exposures of the frontier campaign had broken his constitution. As he had made liberal inroads into his private means to relieve the suffering of his men, his fortune, as well as his health, was wrecked in the public service. Although he resumed his work as brigadier-general of the territorial militia in March, 1815, he died suddenly during that year at his home, "Soldier's Retreat." He was comparatively a young man, as his death occurred in his forty-fourth year. His great service to Mississippi was in saving its southern territory from the Creeks, pending the arrival of Andrew Jackson to complete the salvation of the American cause.

JACKSON'S ADVANCE TO PENSACOLA

For some time prior to the spring of 1814 Jackson's campaign against the Creeks lacked decisiveness. The Indians had even met with some successes and were heartened. On the other hand many of the Tennessee troops were returning and until

February, 1814, Jackson's forces were greatly depleted. In that month he was amply reenforced by fresh troops from Tennessee and volunteers from the Mississippi Territory. In March the American commander gathered his forces on the Coosa River and the Creeks took their stand at a place they called Tohopeka, or Horseshoe Bend, a peninsula of the Tallapoosa River, fortified by a strong log breastwork said to have been erected with the assistance of both British and Spanish allies. The defense of the thousand Creek warriors was stubborn and fierce, even after Jackson's force had carried the breastworks. As the Americans had destroyed the canoes by which the Indians planned their escape in case of defeat, only a few of the red men escaped the slaughter. As the town was also burned, the battle of Horseshoe Bend on March 27, 1814, was considered the final blow to the power of the Creek Nation. Its warriors were brave, but poor marksmen, and it was reported that of Jackson's 3,000 men only 32 were killed and 99 wounded. Among the slain was Maj. L. P. Montgomery, the gallant young Virginian in honor of whom the county of Montgomery was named. His father was the General Montgomery who fell at the storming of Quebec and who gave his name to the capital of Alabama. In going over the breastworks at Horseshoe Bend, Ensign Sam Houston of Tennessee was wounded —the same who years later became Governor of Texas.

Before leaving the Tallapoosa country General Jackson built the fort which took his name on the site of old Fort Toulouse, erected by the French a century before, on the east bank of the Coosa, four miles above its junction of that river with the Tallapoosa. Many Creek warriors came to Fort Jackson to make formal surrender to the grim American general. Weatherford was among them. All being now quiet on the southern border, Jackson retired to his Hermitage for a rest. While thus engaged, he was appointed major-general of the army to succeed General Flournoy in command of the seventh military district. While taking command of the southern army he was also empowered to arrange a treaty with the Creeks, which was concluded at Fort Jackson on August 9, 1814.

General Jackson had scarcely concluded the treaty when intelligence reached him of the continued encouragement rendered the Indians by the British and Spanish at Pensacola. There was only one course left for a bold leader to take, and Jackson took it.

After Mobile had been safeguarded, an advance toward Pensacola was in order. Under the call for troops issued by President Madison the quota assigned to the Mississippi Territory was 500 infantrymen and a full troop of cavalry. In addition, Governor Holmes furnished for service in the United States army, upon the requisition of Jackson, four full troops of dragoons. Colonel Hinds still commanded the dragoons and General Jackson stationed them at different points on Pearl River within supporting distance of Fort Bowyer, thirty miles south of Mobile, which guarded the entrance to the bay. At the fort was a garrison of 130 men with twenty pieces of cannon, in command of Major William Lawrence.

On September 15th, while Jackson's headquarters were at Mobile, Fort Bowyer was attacked by a British fleet of two sloops and two brigs, with a land force of 600 Indians and Spaniards and 130 marines. Major Lawrence repulsed the assaulting forces with severe loss, destroyed the British flagship and drove the other vessels back to Pensacola. Jackson immediately left his headquarters at Mobile and assembled his troops at Fort Montgomery on the Alabama River with a view of meeting the British at Pensacola. His forces now consisted of three regiments of United States infantry—the Third being composed largely of Mississippians—a company of Tennessee militia and the Mississippi Dragoons under Colonel Hinds. Tennessee and Mississippi formed the backbone of the expedition to Pensacola.

The capture of Pensacola was effected on the 7th of November, 1814, by three thousand of Jackson's men, comprising small detachments from two of the United States Infantry regiments, volunteers and militia from Tennessee and Mississippi and Colonel Hinds' Mississippi Dragoons. The dragoons were in the advance, but once within the city the batteries planted in the streets were carried at the point of the bayonet. An American garrison occupied its forts, except Fort Barancas, six miles below the town, which was blown up by the astonished British, who deserted their Spanish friends. Jackson lost about a score of men in killed and wounded.

THE BRITISH OCCUPY MISSISSIPPI SOUND

Not long after the capture of Pensacola and while Jackson was preparing to depart for New Orleans to arrange for its

anticipated defense, a great British fleet of fifty or sixty ships, manned by nearly twenty thousand troops, was gathered at the island of Jamaica. The worn, but still grim and determined American commander arrived at New Orleans on December 2d. The few small gunboats, which represented the United States navy in southern waters, were commanded by Commodore Daniel T. Patterson with headquarters at the New Orleans station. On December 5th he received a letter from Pensacola announcing the arrival of the great British fleet destined for the capture of that city. The American commodore sent five gunboats, a tender and dispatch boat toward the passes Mariana and Christiana, under the command of Thomas Catesby Jones, with orders to make a last stand at the Rigolets and sink the enemy or be sunk. The little fleet under Commander Jones had only 23 guns and 182 men with which to oppose the British armada, but opened the engagement by firing upon the scouts of the British navy which commenced to appear off Cat Island on December 10th. On the following day the fleet anchored between Cat and Ship islands and Jones retired to pass Mariana, according to orders. The American sailors repelled several attempts made by the British marines to board the gunboats, but Jones was obliged to blow up one of his schooners and burn the public store house at Bay St. Louis. The general and decisive engagement of December 14th was at Pass Christian and could have but one conclusion. In the assault against the tiny, but sturdy naval line held by the Americans for two hours, the British commanders of world-wide experience and victory brought to bear forty-five of their ships and forty-three cannon. Jones himself was badly wounded and his boats captured by sheer weight of numbers. The casualties were not heavy on either side, the British loss being about 300 and that of the Americans 60, which was about a third of their whole number.

During the remainder of the war, Ship Island harbor was headquarters of the British fleet which held Mississippi Sound. It comprised twenty warships, ranging from thirty to eighty guns in armament, besides ten others of inferior gunnage.

THE DEFENSE OF NEW ORLEANS

The defense of New Orleans by Andrew Jackson is not an event of Mississippi history, only insofar as it was accomplished

by the assistance of Mississippi soldiers. Their identification with the historic defense is thus described by the author of *Mississippi Territory in the War of 1812*, who has made a study of the history of this period:

"The Third United States Regiment had again been recruited at Cantonment Washington by Mississippi volunteers, the Forty-fourth Regiment contained Mississippi riflemen and some infantry which had been with Jackson throughout the Coast campaign. Many were to be found in General Coffee's brigade, while volunteers were daily arriving from the Mississippi Territory to be formed into companies with Louisiana troops or placed in other commands. The Mississippi Dragoons, composed of four troops of horse, were at all times present during the conflict to perform the many arduous duties required of them."

Soon after the landing of the first British troops at the mouth of Villere's Canal, the Mississippi Dragoons under Hinds arrived in New Orleans after a wearisome march of four days. Jackson immediately ordered a detachment of them to reconnoiter the British camp. This was done and resulted in the attack upon the strong seasoned troops of the enemy, numbering nearly 5,000 troops, by Jackson's force of much less. About half of the American army of defense, led to the point of battle by the Mississippi Dragoons, engaged in this night attack of December 23d. The troops were assisted in their assault by the armed schooner Carolina, which delivered a heavy and confusing enfilading fire on the British camp. The plucky little schooner was soon afterward destroyed by the enemy. But the repulse of the British forces on December 23rd, which was repeated five days later, served to make the enemy realize that the capture of New Orleans was not so easy of accomplishment as they had supposed. As the last of the year approached, Sir Edward Pakenham, the British commander-in-chief, became convinced that a crushing blow was all that would take the city. The American riflemen and cavalry, with a skill and daring savoring of the uncanny, forced the issue, as Jackson intended. The Mississippi Dragoons, from first to last, were the eyes and ears of the patriotic army, and it was to them that Jackson looked for information as to the enemy's movements.

On the first day of the new year, 1815, the entire British army moved forward and trained thirty of its heaviest guns against

the fortifications of New Orleans. Jackson's guns replied; perhaps less noisily, but better served. Another decisive British repulse followed. Within a week the American commander had distributed his land forces and his artillery, his lines extending five miles from the city. On January 8, 1815, his preparations were all made for the final clash of his few thousand western and southern troops against the massed power of the British army. As the battle furiously progressed on both sides, the close, uniformed ranks of the British within the short duration of an hour were shattered and swept away by the concentrated rifle and artillery fire of Jackson's trained marksmen. To this was due to a large extent the unusual victory. Six American dead to nearly three thousand British killed and wounded, including the brave Pakenham, the gallant commander of the British forces, is an unparalleled result in the annals of the great decisive battles of history.

Though the battle of New Orleans was fought two weeks after the treaty of peace was signed between Great Britain and the United States, it was one of the most outstanding events of the last struggle for independence of British interference. The following remark by a commentator of these times is worthy of reproduction as an indication of the spirit then prevailing: "The treaty of Ghent," says Woodward in his Reminiscences, "which declared peace between Great Britain and the United States, was signed December 25, 1814, but as the treaty of Fort Jackson did not actually terminate the war with the Creeks, neither did this European treaty actually terminate the War of 1812, of which the Creek war became a part. Pensacola had first to be captured and New Orleans to be defended."

The British fleet still ruled the Mississippi Sound and on February 11, 1815, made a second and finally successful attack on Fort Bowyer. Two days afterward the news of the Ghent treaty of peace came from Jamaica, and in the following month the British ships sailed away.

THE LAST TERRITORIAL ASSEMBLIES

The Eighth, Ninth and Tenth General Assemblies were the last to be held under the territorial government and covered the period from December, 1813, to November, 1816. War measures had largely occupied the attention of the legislatures and Gov-

ernor Holmes himself had been absorbed in raising troops for the Creek war, and later for the relief and protection of New Orleans. Both General Claiborne and General Jackson gave the chief executive of the Mississippi Territory and all officers and men engaged the highest credit for their services during these periods of military stress.

The national conscience which had developed in the Territory was now stronger than ever and pride of country took deep root in every heart. However the sturdy pioneer people had their full share of vicissitudes. The failure of the cotton crops for several successive seasons and the war with Great Britain, with the consequent decline in prices from 15 cents a pound to half that amount, as well as the absorption of manual labor by military operations, caused a profound depression in business and a fall in property values. The Assemblies were therefore busy in passing acts "for the relief of debtors" and raising funds for the support of troops in the field.

Among the fundamental treaties made with the large Mississippi tribes of Indians were those concluded in the fall of 1816 with the Chickasaws in their council house at Chickasaw Old Fields and with the Choctaws in their trading house at St. Stephens. The American commissioners were Gen. Andrew Jackson, Gen. David Meriwether and Jesse Franklin, treating with the Chickasaws, and Gen. John Coffee, John Rhea and John McKee, with the Choctaws. The Chickasaws relinquished all claims to lands north of the Tennessee River and south of it, east of Caney Creek and Gaines Trace, as well as east of the Tombigbee River south of Cotton Gin Port, where that road touched it. That part of the purchase which was found to lie in Mississippi, about 408,000 acres, was organized as the county of Monroe in 1821, the cession forming the eastern part of the present counties of Tishomingo, Itawamba, Monroe and Lowndes. The Choctaws ceded their lands east of the Tombigbee farther south. Both Indian nations received for their sessions various annuities, considerations in cash, goods and reservations.

APPROACHING STATEHOOD

Since 1811 the people of various sections of the Mississippi Territory had advocated Statehood, and some of them, notably George Poindexter, favored the extension of Statehood to the

entire Territory. But the latter area was considered, on the whole, much too large for a State. Finally at the session of the Fourteenth Congress in December, 1815, a petition of the Legislature for the erection of the whole Territory into a State was referred to a committee headed by William Lattimore, who had been most active in such movements. A similar bill was debated in the following March, and the Senate finally directed that before definite action be considered a census of the Territory be taken, as well as that of Indiana, which had also applied for admission. In the following December Mr. Lattimore reported that the Mississippi Territory contained 75,512 souls, of whom 45,085 were free white people, 356 free people of color, and 30,061 slaves. Because of the "unprecedented magnitude" of the country proposed to be admitted as a State and the great distances between its principal settlements, Mr. Lattimore's committee proposed a division of the territory by a north and south line—the admission of the western part as a State and the continuance of a territorial government for the eastern portion. Numerous petitions from Mississippi conventions continued to be received suggesting various lines of division, or none whatever, and finally, the senate committee reported two bills, as Lattimore had done in the house, providing for a western State and an eastern Territory. They passed the upper house in January, and the lower in February, 1817. This action was hastened by the southern members of congress, as the enabling bill for Indiana had passed in the preceding December. The enabling act for the State of Mississippi and the Alabama Territory was signed by President Madison on the 1st of March, 1817.

OFFICIALS OF THE TERRITORIAL GOVERNMENT

GOVERNORS OF MISSISSIPPI TERRITORY
1798-1817

Winthrop Sargent, of Northwest of Ohio River.
Appointed on confirmation, May 7, 1798.
William C. C. Claiborne, of Tennessee.
Recess appointment, May 25, 1801.
Appointed on confirmation, January 26, 1802.
Robert Williams, of North Carolina.
Appointed on confirmation, March 1, 1805.

Appointed on confirmation, March 14, 1808.
David Holmes, of Virginia.
Appointed on confirmation, March 7, 1809.
Appointed on confirmation, March 31, 1812.
Appointed on confirmation, December 10, 1814.

TERRITORIAL JUDGES OF MISSISSIPPI
1798-1817

	Commissioned
Daniel Tilton, of New Hampshire	May 7, 1798
Peter Bryan Bruin, of Mississippi	May 7, 1798
William McGuire, C. J., of Virginia	June 28, 1798
Seth Lewis, C. J., of Tennessee	May 13, 1800
David Ker, of Mississippi, recess appointment	Nov. 2, 1802
Appointed on confirmation	Jan. 25, 1803
Thomas Rodney, of Delaware, recess appointment	July 12, 1803
Appointed on confirmation	Nov. 18, 1803
Ephriam Kirby, of Connecticut	April 6, 1804
Harry Toulmin, of Kentucky	Nov. 22, 1804
Obediah Jones, of Georgia	March 3, 1805
George Matthews, Jr., of Georgia	July 1, 1805
Walter Leake, of Virginia	March 2, 1807
Francis Xavier Martin, of North Carolina	March 7, 1809
Obediah Jones, of Mississippi	March 6, 1810
Oliver Fitz, of North Carolina	April 18, 1810
David Campbell, of Tennessee	March 3, 1811
Josiah Simpson, of New Jersey	Feb. 18, 1812
George Poindexter, of Mississippi	March 3, 1813
Josiah Simpson, of Mississippi	Feb. 9, 1816
Stevenson Archer, of Maryland	March 6, 1817

ATTORNEYS-GENERAL OF MISSISSIPPI TERRITORY

Lyman Harding	1799-1803
George Poindexter	1803-1807
Seth Lewis, West District	1807-1808
William B. Shields, West District	1808-1814
Christopher Rankin, West District	1814-1817
Nicholas Perkins, East District	1807-1809
Lemuel Henry, East District	1809-1812

Joseph Carson, East District 1802-1817
Louis Winston, Madison County 1809-1817

SECRETARIES OF MISSISSIPPI TERRITORY
1798-1817

John Steele, of Virginia.
Appointed on confirmation, May 7, 1798.
Acting Governor, April 3, 1801, to November 23, 1801.
Cato West, of Mississippi.
Appointed on confirmation, March 3, 1803.
Acting Governor, October 1, 1804, to May 10, 1805.
Thomas H. Williams, of Mississippi.
Recess appointment, July 1, 1805.
Cowles Mead, of Georgia.
Appointed on confirmation, January 21, 1806.
Acting Governor, June 6, 1806, to January 28, 1807.
Thomas H. Williams, of Virginia.
Recess appointment, June 1, 1807.
Appointed on confirmation, November 18, 1807.
Acting Governor, March 3, 1809, to July 1, 1809.
Henry Dangerfield, of Mississippi.
Recess appointment, June 30, 1810.
Appointed on confirmation, January 10, 1811.
Appointed on confirmation, December 10, 1814.
Acting Governor, October 6, 1811, to June 15, 1812.
Nathaniel A. Ware, of Mississippi.
Recess appointment, June 7, 1815.
Appointed on confirmation, January 10, 1816.
Acting Governor, April 1815, to May, 1816.

AUDITORS OF MISSISSIPPI TERRITORY

Charles B. Howell.
Beverly R. Grayson.
Park Walton.

TREASURERS OF MISSISSIPPI TERRITORY

Abner Green.
Samuel Brooks.

PRESIDENTS OF THE LEGISLATIVE COUNCIL OF MISSISSIPPI TERRITORY

1801-1817

John Stampley, from 1801 to 1802.
John Ellis, from 1802 to 1807.
Joshua Baker, from 1807 to 1809.
Daniel Burnet, 1809.
James Lea, 1809.
Alexander Montgomery, 1809.
Thomas Barnes, from 1809 to 1810.
Alexander Montgomery, from 1810 to 1812.
Thomas Barnes, from 1812 to 1815.
James Titus, 1816 to 1817.

MEMBERS OF THE LEGISLATIVE COUNCIL OF MISSISSIPPI TERRITORY

1800-1817

	Commissioned
Bailey, Robert	Feb. 4, 1815
Barnes, Thomas	Sept. 1, 1809
Appointed on confirmation	Dec. 26, 1809
Reappointed	Feb. 15, 1814
Baker, Joshua	1807
Bingaman, Adam	Dec. 30, 1800
Burnet, Daniel	1805–06–08
Calvit, Thomas	1808
Carson, Joseph	1809–14
Claiborne, Ferdinand L.	1815
Ellis, John	1800
Grayson, Beverly R.	1814
Henry, Lemuel	1805
Hinds, Thomas	1805–06
Lattimore, David	1802
Lea, James	1808
McCaleb, David	1809
McGrew, Flood	1800
McGrew, John Flood	1808
Montgomery, Alexander	1800–08–09
Robert, Joseph	1809

Runnels, Howell W. ---------- 1814
Sessions, Joseph ---------- 1805–06
Stampley, John ---------- 1800
Taylor, John ---------- 1816
Titus, James ---------- 1812, 1814
Torrence, Thomas ---------- 1816
Ware, Nathaniel ---------- 1813
Ward, Edward ---------- 1811
West, Cato ---------- 1815
Williams, David ---------- 1815

SPEAKERS OF THE HOUSE OF REPRESENTATIVES OF MISSISSIPPI TERRITORY

1800-1817

Henry Hunter, from 1800 to 1803.
William Gordon Forman, 1803.
William Connor, 1803.
Nicholas Perkins, 1803.
William Dunbar, 1803.
Philander Smith, from 1804 to 1805.
John Steele, from 1805 to 1806.
John Ellis, from 1806 to 1808.
William Snodgrass, November, 1809.
Ferdinand L. Claiborne, February, 1809.
Ferdinand L. Claiborne, 1809 to 1810.
Thomas Hinds (pro. tem.) 1810.
Ralph Rogers (pro. tem.) 1810.
Cowles Mead, from 1811 to 1813.
Daniel Burnet, from 1813 to 1815.
Gabriel Moore, from 1815 to 1817.

MEMBERS OF THE HOUSE OF REPRESENTATIVES OF MISSISSIPPI TERRITORY

Name.	*County*	*Session*
Baker, William D.	Adams	1815
Baldwin, Benjamin	Baldwin (Alabama)	1818
Balch, H. J.	Jefferson	1811, 1813
Banks, Sutton	Adams	1800
Barnes, Allan	Claiborne	1811

Name.	*County*	*Session*
Beasley, Daniel	Jefferson	1809, 1811
Bond, John Jr.	Marion, Lawrence	1815
Bowman, Joseph	Adams	1811
Branham, James W.		1807
Brandon, Gerard	Wilkinson	1815
Brightwell, Theodore	Washington (Alabama)	1809
Briscoe, Wilborn	Claiborne	1813, 1815
Bridges, Samuel	Jefferson	1806, 1807
Brooks, John	Jefferson	1802, 1803
Brown, Ervin		1815
Bullock, Stephen		1807
Burnet, John	Pickering	1802
Burnet, Daniel	Claiborne	1807, 1813
Caller, James	Washington (Alabama)	1807, 1811
Caller, John	Washington (Alabama)	1804
Calvit, Thomas	Pickering	1800, 1802
Campbell, Anthony	Adams	1815
Cassells, Henry		1808
Chaney, Bailey E.	Franklin	1809, 1813, 1814
Clark, George		1807
Claiborne, F. L.	Adams	1804
Cook, Samuel		1807
Connor, William	Adams	1802
Crawford, William	Mobile (Alabama), Jackson	1813
Davis, Micajah	Adams	1807
Defrance, Abram	Adams	1809
Dixon, Roger	Jefferson	1802
Downs, Henry D.	Jefferson	1807
Downs, Henry D.	Warren	1813, 1815
Dunbar, William	Adams	1802
Dunbar, Joseph	Jefferson	1805
Ellis, John	Adams	1806
Fitzpatrick, Thomas	Jefferson	1806, 1807
Forman, William Gordon		1803
Foster, James		1809

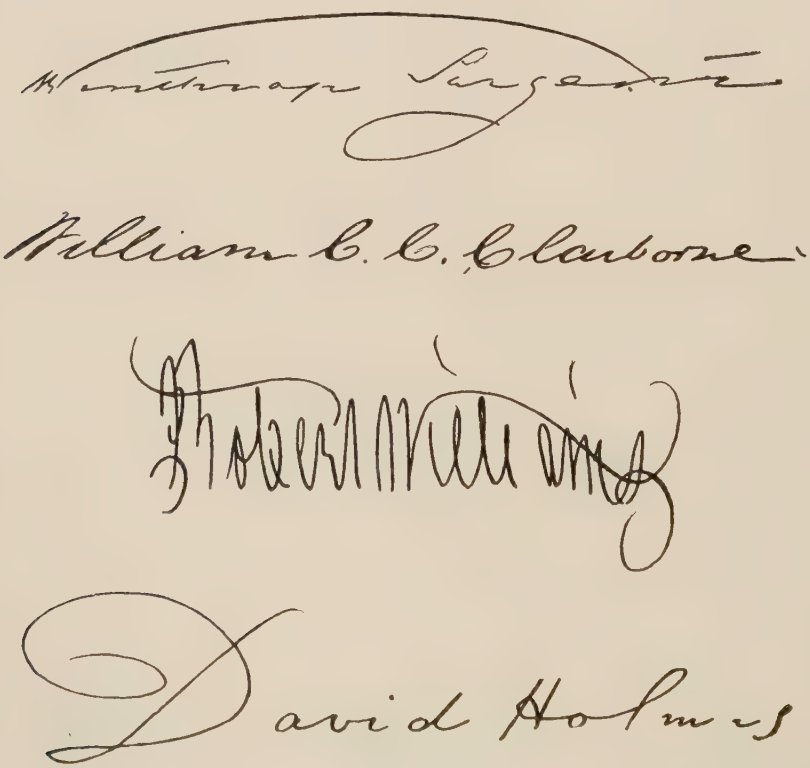
Name.	*County*	*Session*
Girault, John	Jefferson	1802
Green, Thomas M.	Pickering	1800
Greenleaf, David	Adams	1813
Hanes, John	Adams	1809
Hanna, Henry	Amite	1813, 1815
Harding, Lyman	Adams	1804
Henry, Lemuel	Washington (Alabama)	1807
Harris, Thomas		1807
Hoggatt, James	Adams	1800, 1802
Hoggatt, Philip	Adams	1811, 1813
Hopkins, John	Jefferson	1815
Humphreys, George W.	Jefferson	1806
Hunter, Henry	Adams	1800, 1806, 1809
Hutchins, Anthony	Adams	1800
Kennedy, Joseph P.		
King, Richard		1809
Lister, Josiah D.	Washington (Alabama)	1815
Lowry, John	Amite	1811
McCaleb, David	Claiborne	1809
McCartney, James	Madison	1813
McConnell, George W.	Franklin	1811
McGrew, William	Washington (Alabama)	1811
McVay, Hugh	Madison (Alabama)	1811, 1813, 1815
Mead, Cowles	Jefferson	1807, 1811
Montgomery, Alexander	Adams	1806, 1807
Montgomery, Samuel	Adams	1813
Moore, Gabriel	Madison (Alabama)	1811, 1813, 1815
Newman, George	Adams	1815
Nugent, John	Adams	1809
Orme, Thomas		1807
Osborne, Audly L.		1809
Patton, James	Wayne	1811, 1813
Perkins, Peter	Madison (Alabama)	1811

Name.	*County*	*Session*
Perkins, Nicholas	Washington	1802
Perkins, Lewis	Amite	1811
Poindexter, George	Adams	1806
Pool, William		1809
Postlethwait, Samuel	Adams	1811
Posey, John B.	Wilkinson	1813
Rankin, Christopher	Amite	1813
Reagan, Ralph	Claiborne	1809, 1813
Roberts, Joseph		1809
Runnels, Harmon	Marion, Hancock	1813
Saffold, Reuben	Clarke (Alabama)	1813, 1815
Sessions, Joseph	Adams	1807, 1811, 1813
Shaw, John	Jefferson	1804
Shaw, John	Franklin	1815
Shields, William B.	Adams	1807, 1808, 1813
Smith, Philander	Adams	1804, 1811
Smith, Samuel	Washington (Alabama)	1813, 1814
Snodgrass, William	Jefferson	1806, 1807, 1808, 1809
Stark, Theodore	Adams	1807
Steele, John	Adams	1804
Stewart, Duncan	Wilkinson	1813
Sturgus, Minor		1807
Swayze, Nathan	Adams	1815
Taylor, John	Adams	1813
Titus, James	Madison (Alabama)	1812
Truly, Berinett	Jefferson	1807
Turner, Edward	Warren	1811
Turner, Edward	Adams	1815
Turpin, White	Adams	1809
Ward, Edward		1810
Ware, Nathaniel A.	Adams	1813
Watts, Josiah	Greene, Wayne	1815
West, Cato	Pickering	1800, 1802
Wilkins, James C.	Adams	1815
Willis, John B.		1809

Name.	*County*	*Session*
Winborne, Jesse	Amite	1815
Winston, William H.	Madison	1815
Winston, William O.	Madison	1810
Wood, James	Claiborne	1815

REGISTERS OF LAND OFFICE OF MISSISSIPPI TERRITORY
1803-1817

	Commissioned
Edward Turner, west of Pearl River	July 9, 1803
Joseph Chambers, east of Pearl River	March 28, 1804
Henry Dangerfield, west of Pearl River	Oct. 15, 1804
Thomas Fitzpatrick, west of Pearl River	Oct. 5, 1804
Thomas H. Williams, west of Pearl River	March 3, 1805
Nicholas Perkins, east of Pearl River	Jan. 17. 1806
Nicholas Gray, west of Pearl River	April 1, 1815
Alexander Pope, Mississippi	March 6, 1817



FACSIMILE SIGNATURES OF GOVERNORS OF MISSISSIPPI TERRITORY

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CHAPTER XIII

MISSISSIPPI ASSUMES STATEHOOD

ACT AUTHORIZING A STATE GOVERNMENT—THE CONSTITUTIONAL CONVENTION OF 1817—THE CONSTITUTION OF 1817—FINAL STEPS IN THE CREATION OF THE STATE—FIRST SESSION OF THE STATE LEGISLATURE—JUDICIAL APPOINTMENTS AND ELECTIONS—REASSEMBLING OF THE GENERAL ASSEMBLY—THE ELIZABETH FEMALE ACADEMY—MISSISSIPPI'S AID TO TEXAS—CONCLUSION OF GOVERNOR HOLMES' STATE ADMINISTRATION.

Three definite steps were taken in the creation of Mississippi as a State. First was passed the enabling act of congress, signed by the President on March 1, 1817, by which authorized delegates were empowered to meet in convention and proclaim the projected form of government, under the federal constitution. Second, the convention met in pursuance of the provisions of the enabling act and on the 15th of August, of that year, adopted a State constitution, and third, the constitution was accepted by both houses of congress, which declared it republican and in conformity with the ordinance of 1787, and on the 10th of December, 1817, was signed by the President. In this manner Mississippi was officially and constitutionally "declared to be one of the United States of America, and admitted into the Union on an equal footing with the original states in all respects whatever."

ACT AUTHORIZING A STATE GOVERNMENT

The act of March 1, 1817, provided for the formation of a state government by the inhabitants of the western part of the Mississippi Territory and the assumption of such a name as they should deem proper.

The boundaries of the proposed State were thus defined: "Beginning on the River Mississippi at the point where the southern boundary line of the State of Mississippi strikes the same, thence east along the said boundary line to the Tennessee River, thence up the same to the mouth of Bear Creek; thence by a direct line to the northwest corner of the County of Washington; thence due

south to the Gulf of Mexico; thence westwardly, including all the islands within six leagues of the shore, to the most eastern junction of Pearl River with Lake Borgne; thence up said river to the thirty-first degree of north latitude, thence west along said degree of latitude to the Mississippi River, thence up the same to the beginning."

The legal qualifications for delegates to the constitutional convention, to be elected on the first Monday and Tuesday of the following June, included all free white male citizens at least twenty-one years of age, a residence of one year in the Territory previous to the election, the payment of a county or territorial tax and all other qualifications possessed by those entitled to vote for representatives to the General Assembly. The apportionment was as follows: County of Warren, two; Claiborne, four; Jefferson, four; Adams, eight; Franklin, two; Wilkinson, six; Amite, six; Pike, three; Lawrence, two; Marion, two; Hancock, two; Wayne, two; Greene, two, and Jackson, two. Washington was named as the place of meeting and the first Monday of July as the time. The constitution was to be Republican in form and "not repugnant to the principles of the ordinance of 1787." It was also stipulated by congress in the enabling act that the people of the Territory disclaim all title to the unappropriated lands, which should be at the sole disposition of the United States; that such lands should be free from all taxes laid under state authority for a term of five years and that no taxes whatever should be imposed on lands, the property of the United States; "and that the River Mississippi, and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways and forever free, as well to the inhabitants of the said State as to other citizens of the United States, without any tax, duty, impost or toll therefor, imposed by the said State."

Five per cent of the net proceeds of the lands lying within the Territory which should be sold by congress after the first day of December following should be reserved for making public roads and canals, three-fifths of which was to be applied to State enterprises and two-fifths to those directed by congress. Such expenditures should not be made, however, until Georgia had been indemnified in the sum of $1,250,000 for its cession of lands to the United States.

Until the next census should be taken, the proposed State

should be entitled to one representative in the lower house of congress.

THE CONSTITUTIONAL CONVENTION OF 1817

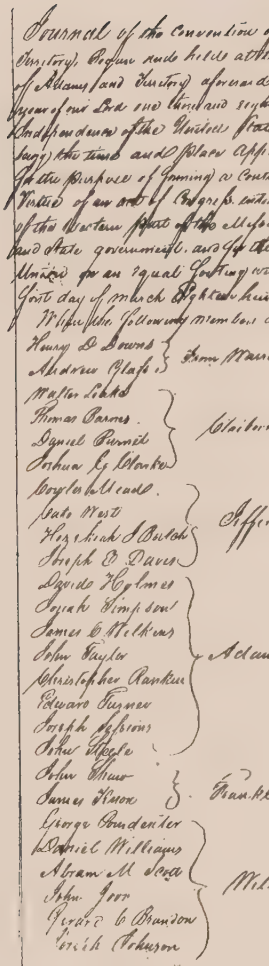
Forty-seven delegates were elected to the constitutional convention, which represented fourteen counties. Under the enabling act they assembled at Washington on July 7, 1817. The convention was held at the Methodist meeting house which was an outgrowth of Lorenzo Dow's camp meeting of 1805. It was within its walls that Mississippi's first Constitution was drawn. The ruins of the little brick church of Lorenzo Dow, where this convention met, were still to be seen on the campus of Jefferson College in 1902. The site should be marked by the patriotic societies of the State. Of the convention the records, carefully preserved, give a full history.

On motion of Daniel Burnet, of Claiborne County, it was organized by the election of Governor Holmes, one of the eight representatives from Adams County, as its president, and Louis Winston as secretary.

The personnel of the convention was of a remarkably high standard. Its presiding officer, David Holmes, was generally considered the foremost public man in the lower Mississippi Valley, from the standpoint both of scholarship, substantial ability and moral character. Louis Winston, the secretary of the convention, was a scholarly young lawyer of Virginia, who first came to the Tennessee River country and afterward to the western portion of the Territory. He was still to make his reputation on the bench.

Not a few of those whose names appear as delegates from the fourteen counties of Mississippi had already woven themselves into the history of the Territory. Besides Governor Holmes, in the Adams County delegation was John Steele, the first Secretary of the Territory. Cowles Mead and Cato West were sent from Jefferson County; George Poindexter from Wilkinson; Dr. William Lattimore from Amite, and Colonel Daniel Burnet, the pioneer of both Spanish and American administrations, represented Claiborne County.

Adams County also furnished to the convention—Josiah Simpson, the noted jurist, who had served two terms on the territorial supreme bench; James C. Wilkins, the richest merchant of Mis-



Journal of the Convention of the Western Part of the Mississippi Territory, Begun and holden at the Town of Washington in the County of Adams and Territory aforesaid on the Seventh day of July in the Year of our Lord one thousand eight hundred and seventeen and of the Independence of the United States of America the Forty Second and Sage, the time and place appointed for the meeting of the Convention for the purpose of forming a Constitution and State Government, by Virtue of an act of Congress entitled "an act to enable the People of the Western part of the Mississippi Territory to form a Constitution and State government, and for the admission of such State into the Union on an equal footing with the Original States" passed the Tenth day of March Eighteen hundred and seventeen"

When the following members appeared and took their seats Viz.

Henry L Downs, Andrew Glass } from Warren County

Walter Leake, Thomas Barnes, Daniel Burnett, Joshua G Hankins } Jefferson County

Benjamin Mitchell, Isaac West, Hezekiah L Butler, Joseph D Daves } Jefferson County

Ozwell Holmes, Josiah Simpson, James L Wilkins, John Taylor, Christopher Rankin, Edward Turner, Joseph Peirson, John Steele } Adams County

John Shaw, James Dixon } Franklin County

George Poindexter, Daniel Williams, Abram M Scott, John Joor, Gerard C Brandon, Enoch Robinson } Wilkinson County.

FACSIMILE OF THE FIRST PAGE OF THE JOURNAL OF THE MISSISSIPPI CONSTITUTIONAL CONVENTION OF 1817

sissippi; John Taylor, an energetic lawyer who had reached eminence within a few years and was later selected as the first presiding judge of the State Supreme Court; Christopher Rankin, another able lawyer, destined for long service in congress and to bestow his name on one of the counties of the State; and Edward Turner, who was heaped with public honors both by the Territory and the State.

Joseph E. Davis, a delegate from Jefferson County, was a Georgian, transferred to Kentucky and thence to Mississippi. At the time of the convention his residence was at Greenville and, although a profound lawyer and a bold thinker, never held office other than that of delegate to the first constitutional convention. He was the elder brother of Jefferson Davis, who said of him, with grateful affection: "To him materially as well as intellectually, I am more indebted than to all other men." He also commends his brother for his "patriarchal care of the many negroes dependent on him, not merely for the supply of their physical wants but also for their moral and mental elevation, with regard to which he had more hope than most men of his large experience."

The Wilkinson County membership in the convention was very influential. It was headed by the brilliant George Poindexter, pronounced by many as "the master mind and admitted leader" of that body. As chairman of the committee which submitted the draft of the constitution to the convention for its adoption, he is admitted to have been the chief author, as well as advocate of the instrument. Abram M. Scott, another delegate from Wilkinson County, subsequently served the State as lieutenant governor and governor; Gen. John Joor was a man of wealth, and descendant of a cultured and fiery Huguenot family of South Carolina, and Gerard C. Brandon, a large land owner and planter, twice governor and a leading delegate not only to the convention of 1817 but to that of 1832.

Walter Leake and Joshua G. Clarke, delegates of Claiborne County, were among the strongest men of the convention. Judge Leake had served on the territorial bench for a decade and, with his colleagues on the bench, George Poindexter and Josiah Simpson, gave important service in forming the organic laws of the State. Under Statehood he became United States Senator, judge of the Supreme Court, and governor. Joshua G. Clarke was endowed with one of the best legal minds in the convention. Subse-

quently he served as one of the first supreme and circuit judges and was the first to preside over the Supreme Court of Chancery in 1821-28.

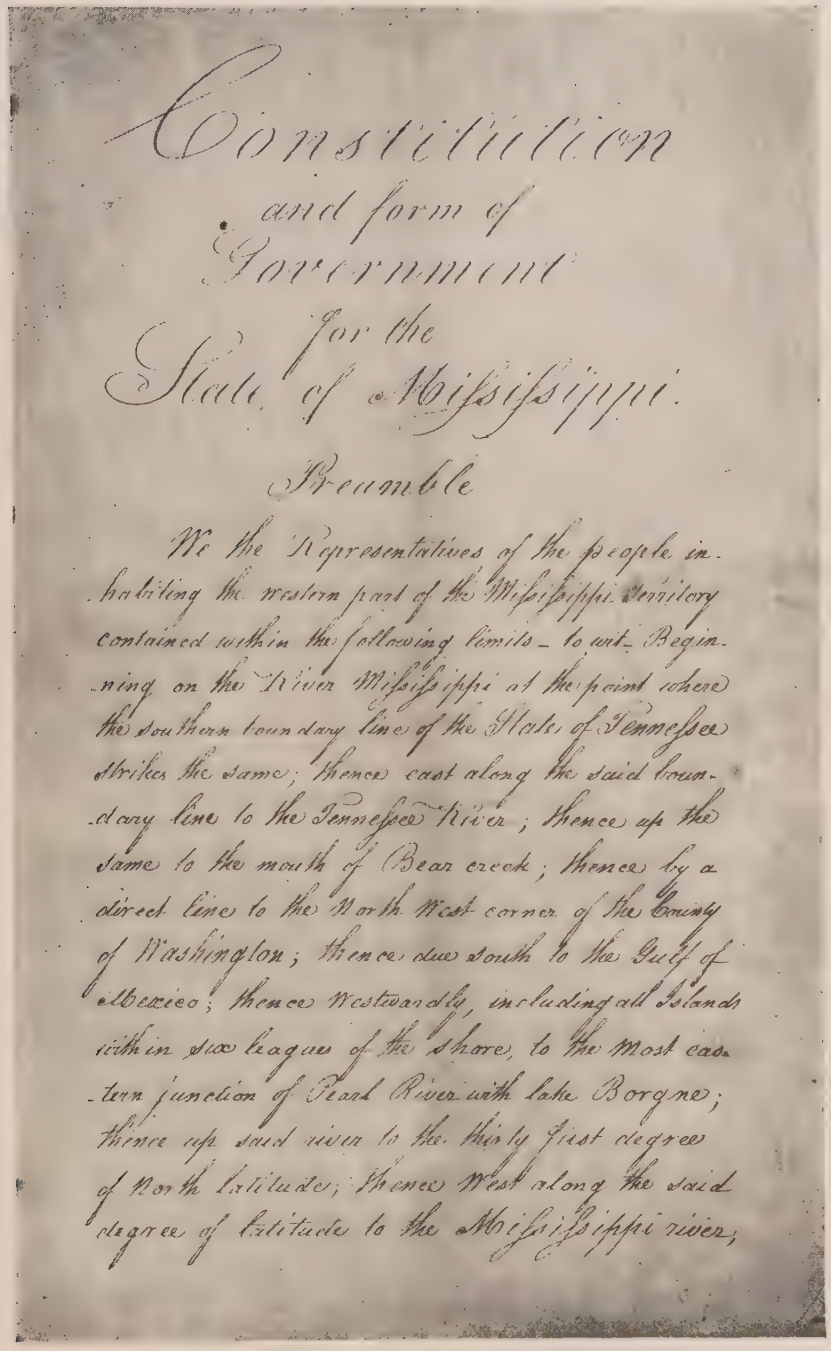
Noel Jourdan, a delegate from Hancock County on the gulf coast, had been highly educated in Paris and was an able lawyer. He was the foremost representative of the Creole element in Mississippi. His father was a patriot of the revolution, serving in the French army and afterward becoming a citizen of the United States and a wealthy resident of New Orleans. He amassed a fortune, gave his son a classical education and inspired him with high ideals of government.

Gen. James Patton, who represented Wayne County, received his military title in connection with the State militia. He was a lawyer and an orator of much ability. This with his courtly manners and charming personality won for him a high place in both the social and political life of the State. By reason of his influence, his resident town of Winchester became quite a political center. General Patton was elected lieutenant-governor of the State on the ticket with George Poindexter and but for his untimely death would doubtless have attained higher honors.

Harmon Runnels, of Lawrence County, was one of the pioneers of the Pearl River country and "a hard fighting captain in Georgia in the Continental army." Afterward he was equally aggressive in Mississippi politics. Colonel Claiborne wrote of him: "He had strong friends and bitter enemies, but he whipped the latter into submission and, with four sons to back him, as ready to fight as himself, he ruled the Pearl River country as long as he lived and died an octogenarian at Monticello." Runnels was a hardshell Baptist and a true patriot. His son, Hiram G. Runnels, was a leading public man and served one term as governor.

The foregoing are typical representatives sent to assist in the preparation of Mississippi's first State constitution.

On July 8, the day following the meeting of the convention, the consideration of resolutions as to the expediency of forming a constitution and State government at that time, resulted in the decision to proceed in the business for which the gathering was called. Finally, on the 10th of July, 1817, a committee of twenty was appointed by the chair to prepare a draft of the constitution; another member was added on the following day. As then constituted the membership was as follows: George Poindexter,



Constitution
and form of
Government
for the
State of Mississippi.

Preamble

We the Representatives of the people inhabiting the western part of the Mississippi Territory contained within the following limits – to wit: Beginning on the River Mississippi at the point where the southern boundary line of the State of Tennessee strikes the same; thence east along the said boundary line to the Tennessee River; thence up the same to the mouth of Bear creek; thence by a direct line to the North West corner of the County of Washington; thence due South to the Gulf of Mexico; thence Westwardly, including all Islands within six leagues of the shore, to the most eastern junction of Pearl River with lake Borgne; thence up said river to the thirty first degree of North Latitude; thence West along the said degree of latitude to the Mississippi river,

FACSIMILE OF FIRST PAGE OF FIRST CONSTITUTION OF MISSISSIPPI (1817)

chairman; Josiah Simpson, Walter Leake, John Shaw, Christopher Rankin, James C. Wilkins, Henry D. Downs, Cato West, William Lattimore, Henry Hanna, William J. Minton, Harmon Runnels, John Ford, Cowles Mead, Noel Jourdan, Daniel Burnet, James Patton, Laughlin McKay, Thomas Bilbo, Gerard C. Brandon and James Y. McNabb.

The report of the committee on the constitution was made and ordered printed and the convention adjourned from the 17th to the 21st of July. It would serve no vital purpose to follow the deliberations and discussions which resulted in the adoption of the constitution on the 15th of August, 1817.

It was decided to hold the first session of the legislature at Natchez, and thereafter at such place as might be directed by law. On the question of the name of the new State, Cowles Mead proposed that it should be Washington. His proposition received 17 votes to 23 for Mississippi, which was the recommendation of the committee appointed for the purpose. It seemed advisable by the majority that the name of the Territory should be extended to the State, and in honor of the great river along which its western borders lay.

THE CONSTITUTION OF 1817

Under the constitution thus adopted in convention, the term of the Governor, or chief executive of the State, was two years. The incumbent must be thirty years of age, a citizen of the United States, a resident of the State for five years and be the owner of either six hundred acres of land, or real estate valued at $2,000. The lieutenant governor must possess the same qualifications as the Governor, and be chosen by the same electors for a like term of office. The legislature was to elect the Secretary of State, Attorney-General, Treasurer and Auditor of Public Accounts; the term of the Secretary of State was two years and of the other officials chosen by the legislature, one year.

The legislative power of the State was vested in a senate and house of representatives, jointly to be styled "The General Assembly of the State of Mississippi." Representatives were to be elected annually on the first Monday and the day following in August. They must be twenty-two years of age, residents of the State for two years, and owner of either 250 acres of land or real estate valued at $500. As in the case of all office holders, United

States citizenship was a prime requisite. The senators were chosen for a term of three years, must be twenty-six years of age and owner of either 300 acres of land, or real estate valued at $1,000. Property qualifications were increased with the importance of the office.

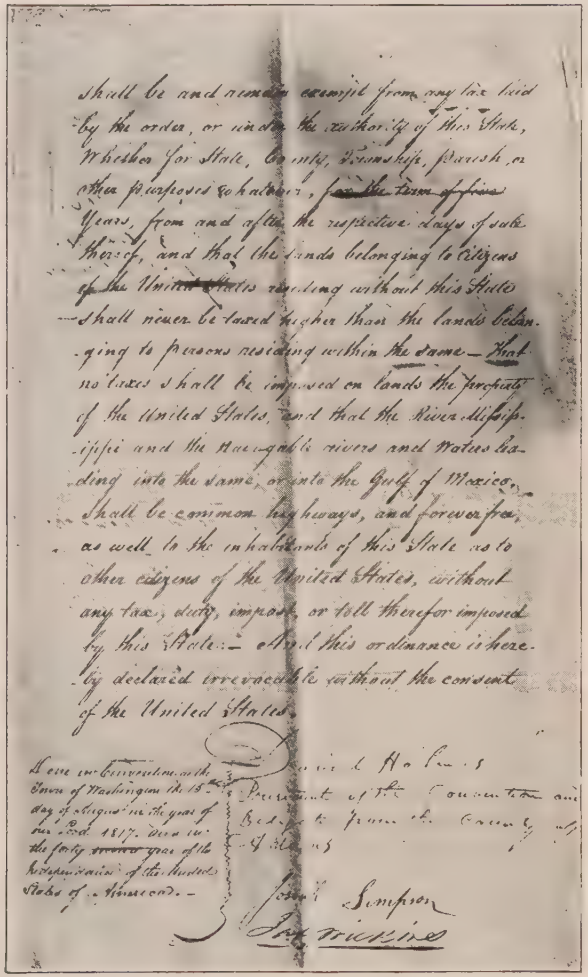
The constitution provided that the General Assembly should hold its first session on the first Monday in October, 1817, at the City of Natchez, and thereafter at such place as might be directed by law, on the first Monday in November.

The judicial power of the State was vested in a supreme court, consisting of not less than four nor more than eight judges, elected by the General Assembly to serve during good behavior up to sixty-five years of age; and in a superior court held in each county at least twice a year, the judges being the same as the judges of the supreme court. Provision was also made for the establishment of a court, or courts of chancery, courts of probate and justice courts.

The "qualified elector" was thus defined: "Every free white male of the age of twenty-one years or upwards who shall be a citizen of the United States, and shall have resided in the State one year next preceding an election, and the last six months within the county, city or town in which he offers to vote, shall be enrolled in the militia thereof, except exempt by law from military service; or having the aforesaid qualifications of citizenship and residence and shall have paid a state or county tax, shall be deemed a qualified elector."

FINAL STEPS IN THE CREATION OF THE STATE

On September first and second, 1817, the election was held for governor, lieutenant governor, representative in congress and members of the General Assembly. There was no opposition to Governor Holmes, who was elected chief executive of the state by a vote of 4,108. Duncan Stewart, the Lieutenant Governor-elect, was a wealthy planter of Wilkinson County, who also served his State as Surveyor General. George Poindexter was elected to congress and took his seat in that body in December following. Eight senators and twenty-three representatives were chosen to form the first General Assembly, which convened on the 6th of October, 1817. Three days later the Assembly elected Walter

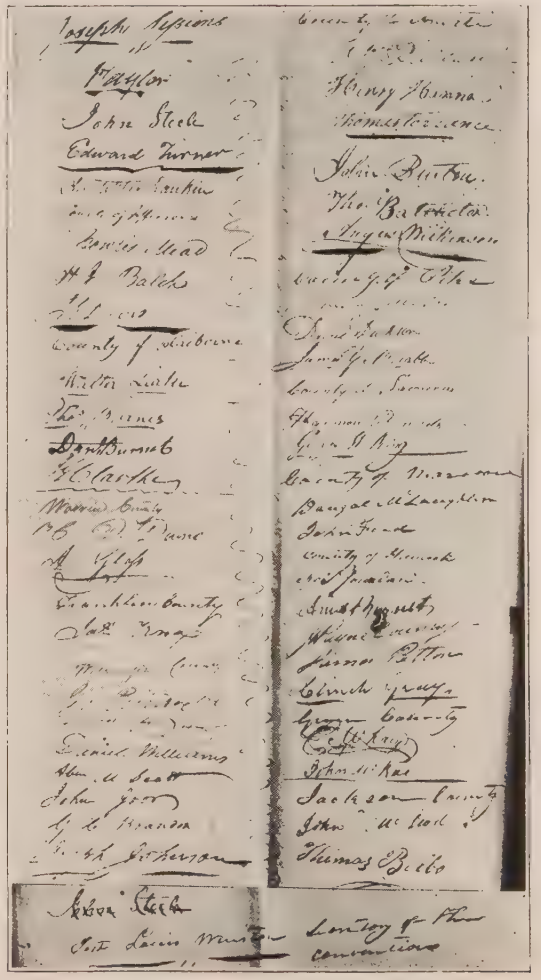


shall be and remain exempt from any tax laid by the order, or under the authority of this State, whether for State, County, Township, Parish, or other purposes whatever, for the term of five Years, from and after the respective Days of sale thereof, and that the lands belonging to citizens of the United States residing without this State shall never be taxed higher than the lands belonging to persons residing within the same. That no taxes shall be imposed on lands the property of the United States, and that the River Mississippi and the navigable rivers and waters leading into the same, or into the Gulf of Mexico, shall be common highways, and forever free, as well to the inhabitants of this State as to other citizens of the United States, without any tax, duty, impost, or toll therefor imposed by this State. And this ordinance is hereby declared irrevocable without the consent of the United States.

Done in Convention with the Town of Washington the 15th day of August in the year of our Lord 1817. and in the forty second year of the Independence of the United States of America.

David Holmes
President of the Convention and Delegate from the County of Adams

John Simpson
Secretary



Joseph Hopkins
Wm Taylor
John Steele
Edward Turner
Daniel Burnett
Wm Barnes
Wm Ellis
Wm Clarke
Wm Lattimore
Daniel Williams
John Joor
Henry Hamna
Thomas Lawrence
John Ruffin
Thos Bradford
Ingram Mitchinson
Wm Ellis
Jno Steele
State Treasurer
Secretary of the Convention

Leake and Thomas H. Williams United States senators to represent the new State.

In the meantime congress was taking the necessary measures to make Mississippi a full-fledged state. On December 8th the house passed a resolution admitting it to the Union. It was known as the Barbour resolution. The measure had come up before the senate and been referred to a committee comprising James Barbour of Virginia, Rufus King of Massachusetts and John Williams (brother of Governor Williams) of Tennessee. The Barbour resolution for the admission of Mississippi as a state passed the senate on the 3d of December, and five days later, as stated, was adopted by the house. It was signed by President Monroe on December 10, 1817, and on the following day Messrs. Leake and Williams were sworn into the United States senate. The only action remaining to make the connection between the state and Federal governments complete was taken March 30, 1818 (approved by the President April 3d), when the senate concurred in the house act extending the laws of the United States to the new State.

FIRST SESSION OF THE STATE LEGISLATURE

About the time of the September election, yellow fever appeared as an epidemic in Natchez and on the 30th of the month had assumed such a threatening character that the Governor issued a proclamation for the legislature to meet in Washington on the first Monday of October. In regard to conditions at the appointed place of meeting he said: "The City of Natchez, for many years past, has been remarkable for its healthfulness. In the course of the preceding summer, the streets in the lower part of the town were raised, conformably to the graduation directed by the officers of the corporation. The adjacent lots, which ought to have been filled up as the public work progressed, were in many instances neglected by the individual owners. The consequence was that in a comparatively short time ponds of putrid water were formed in the heart of the city. To this circumstance we may chiefly attribute the cause which either produced the disease, or, if brought from any other place, gave it an epidemic and malignant character."

Little was accomplished during this first session of the General Assembly of the State, on account of the excitement caused by

the presence of yellow fever. The election returns were canvassed and Holmes was sworn in as Governor by Edward Turner, justice of the peace, in the presence of both houses. Thomas Barnes, of Claiborne County, was chosen speaker of the house of representatives. Duncan Stewart, by virtue of his election as lieutenant governor presided over the senate, and the veteran secretary of the territorial council, Felix Hughes, was chosen secretary of the upper house of the General Assembly.

In his address to the Assembly, Governor Holmes called attention to the great responsibilities falling upon it in providing the first laws for the new State, establishing courts, appointing judges, creating a militia system and organizing the finances of the Commonwealth. In forming the house committee, Edward Turner, Charles B. Green and Harmon Runnels were entrusted with the organization of the judicial system; Joseph Sessions, George H. Nixon, and John Joor with the militia, and Philander Smith, John Joor, George H. Nixon, George B. Dameron and H. G. Johnston, with the finances.

The election of the United States senators, Walter Leake and Thomas H. Williams, was perhaps the most important action taken by the legislature, and it adjourned on October 8th, the same day of the balloting, on account of the yellow fever.

The State officers other than Governor and Lieutenant Governor chosen by this first Assembly, were Daniel Williams, Secretary of State; Samuel Brooks, Treasurer, and John R. Girault, Auditor.

JUDICIAL APPOINTMENTS AND ELECTIONS

In the recess between the meeting of the legislature in October and its reassembling in December, 1817, Governor Holmes appointed John Taylor to succeed Judge Leake, elected to the United States senate; Lyman Harding, to succeed Attorney General Christopher Rankin, resigned, and Powhatan Ellis, judge, to hold superior court east of the Pearl River, as provided in the constitution.

REASSEMBLING OF THE GENERAL ASSEMBLY

As the physicians of Natchez had certified that the yellow fever had disappeared as early as November, the Assembly reassembled on the 8th of the following December at the house of

Edward Turner in that city, and Cowles Mead was made speaker of the house. By act of the Assembly, future sessions were to convene on the first Monday in January of each year, at Natchez, and the annual general elections were to be held on the first Monday and Tuesday of August. A census was ordered to be taken as a basis of apportionment for representatives of the house.

On January 21, 1818, the two houses balloted for judges of the Supreme Court. The result: First district, William B. Shields, 21, and Joshua G. Clarke, 11; Second district, John Taylor, 32; Third district, John P. Hampton, 32; Fourth district, Powhatan Ellis, 27, and William J. Minton, 5. It was provided by a resolution introduced by Cowles Mead that the judge of the Second district should be presiding judge of the Supreme Court for the time being, to be succeeded in order by the judges of the First, Third and Fourth districts. There was no officially entitled "chief justice."

The personnel of the Supreme Court, before its first session in June, 1818, was changed by the appointment of Judge Shields to be the first incumbent of the United States District Court. Joshua G. Clarke was appointed to succeed him on the state bench.

On January 27th, following the death of Samuel Brooks, who had been elected State Treasurer by the first legislature during the preceding October, the General Assembly elected Peter P. Schuyler to that office. The Treasurer-elect was formerly an officer of the United States army at Fort Stoddert.

THE ELIZABETH FEMALE ACADEMY

Although the Assembly of 1818 authorized the justices of the county courts "to take charge of the lands given by the United States to the State of Mississippi" and provide for the erection of one or more schools, the first institution for the higher education of young women established within the confines of the new commonwealth was the result of private generosity and founded under the auspices of the Methodist church. On the 17th of February, 1818, the General Assembly incorporated the Elizabeth Female Academy, the creative act being signed by Governor Holmes, E. Turner, speaker of the house of representatives, and D. Stewart, Lieutenant Governor and president of the senate. The Academy was located near Washington and the grounds and buildings were donated to the Mississippi conference of the Meth-

odist church by Mrs. Elizabeth Roach, in whose honor the institution was named. Writing of this famous southern institution in 1898, Bishop Charles B. Galloway says:

"I believe that Mississippi can justly claim the honor of having established the first chartered institution for the higher education of young women in the South, if not in the United States. Though called an academy, it did full collegiate work, had a high standard of scholarship and conferred degrees. The institution was located at Washington, six miles east of Natchez. Washington had been the brilliant and busy little Territorial capital and was then the center of social and political influence.

"A recent visit to the site of that venerable school enabled me to gather much valuable information about its work, and heightened my appreciation of its vast educative and spiritual influence upon the history and destiny of the Southwest. The walls of the spacious building still stand, but the merry voices that rang through its halls only live in the sweet echoes of a distant past. Borrowing a style of architecture from the Spanish of colonial times, the structure was two and a half stories high—the first of brick, the others in frame. A fire consumed it twenty years ago, leaving only the solid masonry as a memorial of the educational ambition and spiritual consecration of Early Mississippi Methodism.

"Some of the noblest women of the Southwest received their well-earned diplomas within those now charred walls, and went out to preside over their own model and magnificent homes. The early catalogues contain the names of fair daughters who afterward became the accomplished matrons of historic families. For many years the Elizabeth Female Academy was the one institution of high grade in the entire South for the education of young women. All others have been followers and beneficiaries of this brave heroine of Mississippi."

The Elizabeth Female Academy at Washington, as conducted by two highly cultured lady Principals, Jane B. Sanderson and Caroline M. Thayer, was the complement of Jefferson College, the male academy which had been established there for six years, and the two cultural institutions give to the State a position of great dignity in the early history of education in the lower Mississippi Valley. All officers and teachers of both institutions were men

and women of high social position, good breeding, culture and Christian character.

MISSISSIPPI'S AID TO TEXAS

The young State of Mississippi in the second year of Statehood sent material aid to Texas in its struggle against the Spaniards in Mexico. *The Encyclopedia of Mississippi History* in giving an account of that episode in the history of the State says:

"James Long, a native of Culpeper County, Virginia, in his boyhood left home for Kentucky, and thence travelled into Tennessee. He made a mercantile venture at the age of 15, but having failed, clerked two years in his father's store, and studied medicine under Dr. Holland, of Tennessee. He was a great favorite with Gen. Andrew Jackson, and at the age of 20 was attached to the medical staff of Carroll's brigade, in the New Orleans campaign. After the victory of January, 1815, he accompanied Generals Carroll and Coffee to Natchez, and while in attendance upon an invalid soldier at the home of a Mr. Calvitt, met Jane Wilkinson, the fourteen year old niece of Gen. James Wilkinson. They were married in May. Subsequently he practiced medicine a while at Fort Gibson, until, at the solicitation of his wife, he bought a plantation near Walnut Hills. From that he turned to the business of a merchant at Vicksburg, which occupied him two years before 1819.

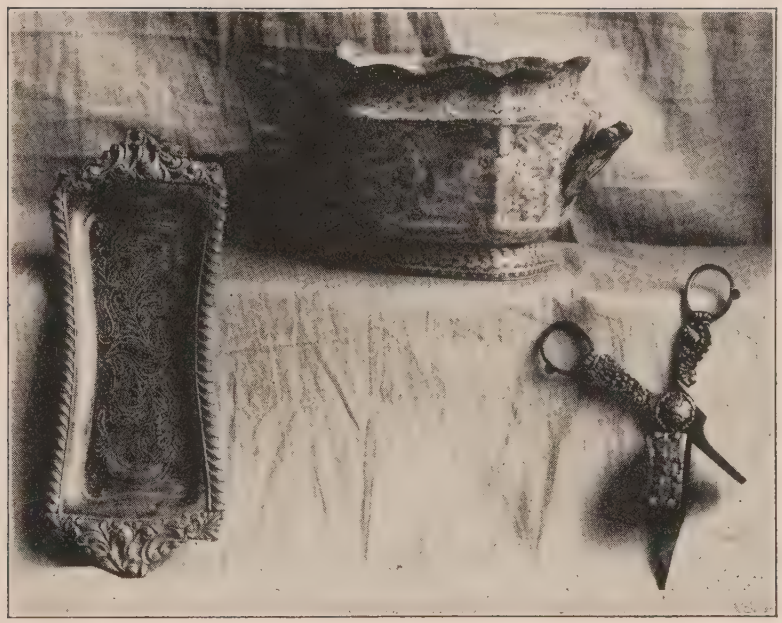
"There was a public meeting at Natchez in that year, in support of an expedition against the Spanish authorities in Texas, which General Adair was expected to lead. When Adair declined, Dr. Long was invited to take the command. He accepted with enthusiasm, pledged all he had to the enterprise, and many choice spirits joined with him, among them Henry S. Foote. Long and about 75 men left Natchez, June 17, 1819, and marched to Nacogdoches, where, soon after their arrival, the force was increased to 300 men. The purpose of the movement, on the part of the leaders and the best element, was to get possession of Texas and open it to settlement from the United States. A government was organized, with Long as president, and a supreme council, of which 11 members were chosen: Horatio Bigelow, Hamlin Cook, W. W. Walker, Stephen Barker, John Sibley, S. Davenport, John G. Burnet, Joshua Child, and two Mexicans, Procello and Guitaris. Texas was declared an independent republic and laws were en-

acted. Long made a trip to Galveston to enlist the aid of LaFitte, the ruler of that port, and armed parties were sent out to various places, and in their absence, the remaining revolutionists were stampeded from Nacogdoches by news of the approach of Spanish troops. There was a desperate flight to the Sabine, with the Spaniards in hot pursuit. A number of the party were killed. Long's wife, after a journey of great hardship, joined him in Texas just in time to join in the flight. Long collected the remnant at Point Bolivar, went to New Orleans, returned to Galveston with reinforcements, and took possession of Goliad, after which he was notified of the success of the Mexican revolution (1821) under Iturbide. He was invited to the capital, and treated with distinction, but soon fell under suspicion, and was assassinated."

CONCLUSION OF GOVERNOR HOLMES' STATE ADMINISTRATION

Among the principal events which concluded the State administration of Governor Holmes was his message of January 15, 1819, to the second session of the legislature, in which he pointed out various amendments needed in the judicial laws, making a request that some greater power than that of assessing a fine of $20 be given the courts in order to compel the attendance of jurors; advising that county courts be authorized to impanel juries, as they were authorized to try slaves and the constitution gave slaves the benefit of a jury in cases involving life; recommending the building of a penitentiary for the more economical and humane punishment of criminals and an amelioration of the criminal code. He had recently pardoned a man sentenced to death for being accessory to a forgery, and he said on this subject: "It is true that in commercial countries policy requires that this offence (forgery) should be punished with severity; still, there should be some distinction made between an attempt upon private property and those crimes which exhibit the highest degree of moral turpitude."

"By authority of the legislature he had borrowed $20,000 of the Bank of the State of Mississippi, $5,000 of which was expended for bank stock and the remainder placed in the treasury to meet expenses. The Government had not yet refunded the Creek War expenses. No settlements had been made with Alabama, but the Treasurer had ascertained that no money remained in the treasury after paying the expenses of the convention. This



SUGAR BOWL, TRAY AND CANDLE SNUFFERS OF GOV. GEORGE POINDEXTER

subject was long disputed. Governor Holmes figured that Alabama owed Mississippi $3,502.40; Governor Bibb contended that Mississippi owed Alabama $2,237.33, and Governor Poindexter said he would not discuss it until Alabama gave bond to pay, if she were found the debtor.

"On January 24, 1818, the cash on hand was $11,628; there had since been received, including the bank loan, $45,838, making a total of $57,466, out of which had been expended for government expenses $39,753, and for bank stock, $5,000; leaving over $12,000 on hand. This was the financial report for the first year of Statehood. The $4,500 due from the United States was paid in 1819.

"At the election in August, 1819, for Governor, George Poindexter received 2,721 votes; Thomas Hinds, 1,702. For Lieutenant Governor, James Patton received 2,385 votes; Daniel Burnet, 1,877. Governor Holmes, whose term began in October, 1817, held over, presumably by act of the legislature, until the next meeting of that body, the first Monday of January, 1820.

"In September, 1819, the seat of government was again transferred from Natchez to Washington, on account of the appearance of yellow fever. But the disease ceased with the coming of cold weather, and the seat of government was again at Natchez when the legislature met at the appointed time, the first Monday of January.

"In his message, January 4th, the retiring Governor congratulated the young State on its prosperity, notwithstanding the invasion of deadly disease in the Southwest. As to finances, it appeared that the rate of taxation would provide $50,000 a year and the disbursements were about $40,000, so that the bank loan could soon be repaid. The cash in the treasury was over $18,000 and the uncollected taxes were estimated at $26,000. He thanked his fellow citizens for the honors conferred on him and congratulated them on the success of American institutions. 'As long as these principles are held sacred,' he said, 'and maintained in the spirit in which they were adopted, national independence, state sovereignty and civil liberty can never be endangered.' " (See the author's *Encyclopedia of Mississippi History.*)

It was during the concluding months of Governor Holmes' administration that congress passed the act creating the Seminary fund of Mississippi. The public land act of 1803, reserving from

sale thirty-six sections of land in the Territory for the establishment of a seminary of learning, laid the foundation of Jefferson College. In addition to that grant, congress passed a measure, approved February 20, 1819, donating to the State "another township, or a quantity of land equal thereto, to be located in tracts of not less than four entire sections each, which shall be vested in the legislature of said State, in trust, for the support of a seminary of learning therein." Such lands were to be located by the Secretary of the Treasury when all Indian titles had been extinguished. Within the succeeding four or five years the location was made and soon afterward the State Auditor was authorized by the legislature to lease what were known as the seminary lands. Such proceeds formed the Seminary fund.

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CHAPTER XIV

LEADING FIGURES IN THE STATE'S EARLY HISTORY

COMMENCEMENT OF POINDEXTER'S ADMINISTRATION—THE NEW PURCHASE—THE FIRST SESSION OF THE GENERAL ASSEMBLY OF 1821—DEATH AND BURIAL OF PUSHMATAHA—LOCATING THE NEW STATE CAPITAL—HINDS AND MONROE COUNTIES CREATED—GENERAL ELECTION OF 1821—CLOSE OF POINDEXTER'S ADMINISTRATION—THE LITERARY FUND AND CHANCERY COURT—CREATION OF ORPHANS' COURT AND SUPERIOR COURT OF CHANCERY—THE POINDEXTER CODE—SPECIAL SESSION OF JUNE, 1822—JACKSON THE CAPITAL OF THE STATE—THE ELECTION OF 1823—IMPROVEMENTS OF WATERWAYS AND ROADWAYS—LAFAYETTE'S VISIT TO THE STATE—THE DEATH OF GOVERNOR LEAKE—MOUNT SALUS, HOME OF GOVERNOR LEAKE.

George Poindexter and Walter Leake, the second and third governors, respectively, of the State of Mississippi, were among the most remarkable men who assisted in developing and shaping the Commonwealth. Both had attained eminence on the bench before they were elected chief executives of the State. Judge Poindexter had served in congress as a territorial delegate and as the first representative of the State, while Judge Leake resigned his seat as one of the United States senators elected by the first State legislature in order to become a candidate for the governorship.

The administrations of Poindexter and Leake were marked by historical events of much importance. In a summary for further reference, the Choctaw cession of 1820, as did the Chickasaw cession of 1816, stands out like a peak in the State's development. While still governor, Poindexter was delegated by the General Assembly with the work of codifying the statutes of the State, which he accomplished with remarkable thoroughness and ability, though it was not adopted until after his term expired. It was during the Leake administration that the permanent seat of the State government was finally fixed at Jackson and laid out for that purpose. The Governor was a representative of Central Mississippi and first located in what was then Claiborne County, at least sixty miles from Washington, the territorial capital. Later he bought land and erected the buildings which became his

homestead known as Mount Salus (Mountain of Health), near Clinton, in Hinds County. Governor Poindexter was from Wilkinson County, in the southwestern part of the State. Governor Leake's long service as territorial judge impressed upon him the disadvantages of having the capital of a growing State in any border of its territory, and the Federal census of 1820 showing that the State had more than 75,000 people gave added emphasis to the justice of providing a judicial and governmental center generally accessible to the scattered residents of the Commonwealth. Perhaps the most enduring service rendered by Governor Leake during his administration was to direct the movement which fixed the capital of the State near its center of population, and by Governor Poindexter the compilation of the State laws into the code of 1823.

COMMENCEMENT OF POINDEXTER'S ADMINISTRATION

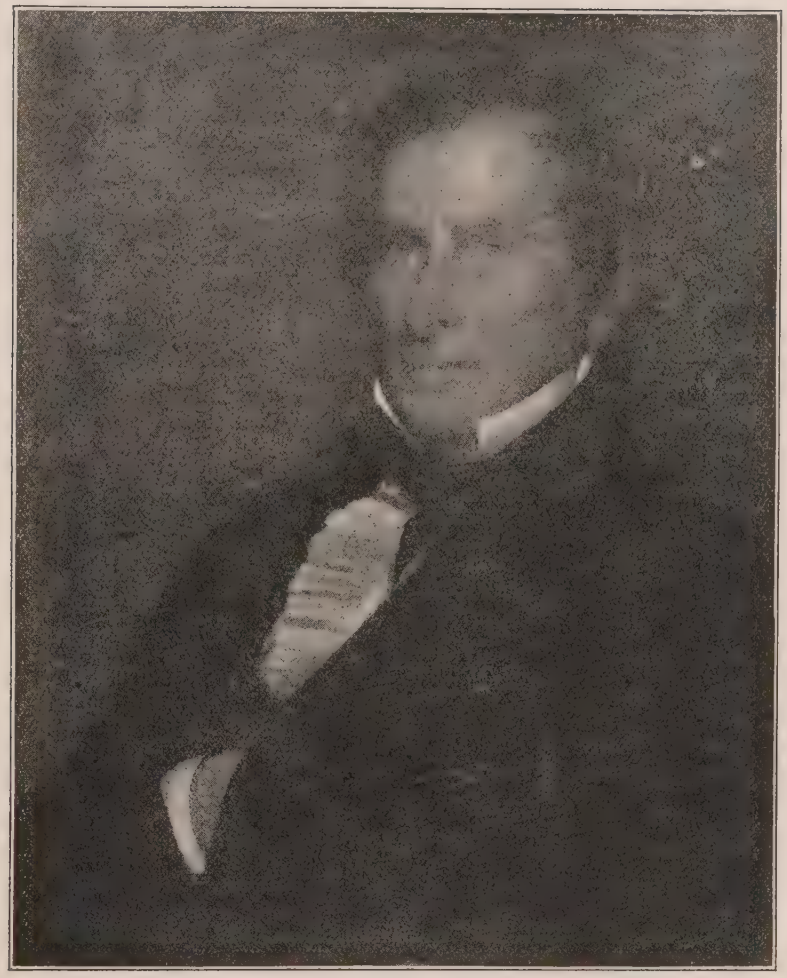
The August election of 1819 resulted in the choice of George Poindexter for Governor and James Patton for lieutenant governor. By virtue of his office Mr. Patton was also president of the senate. Edward Turner was speaker of the House of Representatives.

Regarding this campaign, Claiborne has this to say: "General Thomas Hinds had reluctantly been induced to submit his name at the same time as a candidate, with the popular name of Col. Daniel Burnet, of Claiborne County, on his ticket for lieutenant governor. With Poindexter was associated Gen. James Patton, of Wayne. In this canvass all the candidates were Jeffersonian Republicans (Democrats) and from the earliest period had acted in concert."

The campaign at times became a heated one and the lack of heroism during the defense of New Orleans was revived against Poindexter. The result however showed that he had won by a large majority, which was in keeping with the strong influence he had always wielded in the State.

The general assembly of 1820 unanimously reelected Daniel Williams for Secretary of State and Peter Schuyler for Treasurer. John Richards was chosen Auditor, receiving a small majority over Robert L. Throckmorton.

Judge Poindexter was inaugurated Governor at the meeting of the General Assembly in Natchez, on the 5th of January, 1820.



GOVERNOR GEORGE POINDEXTER
From an oil portrait in the Mississippi Hall of Fame

His impressive address dealt with the basic problems of the day and the State, the judiciary, the militia and education. In line with the "internal improvements" campaign of the period, he advised the legislature to petition congress for the improvement of the navigable streams of Mississippi, in the hope that some of the public lands might be granted for that purpose. He expressed the hope that the Choctaws might soon be persuaded to move west of the Mississippi. In closing he urged toleration and forbearance.

Later in the month the Governor sent a special message to the Assembly recommending "a general revision and consolidation of the statutes" by a commission of three of the most learned and distinguishable citizens; also the establishment of a high court of chancery, as requested by the judges of the supreme court.

THE NEW PURCHASE

The event at this period most important to Mississippi was what was known as the Treaty of Doak's Stand, by which the Choctaws ceded to the United States nearly 5,500,000 acres of land in the western and central part of the State, or the southern portion of the Yazoo delta. Thus that great and fertile tract of land with its marvelous future was brought under the ownership and exploitation of the white race.

The commissioners for the United States were Andrew Jackson and Thomas Hinds, old comrades-in-arms of the War of 1812 and at present serving their country with the same zeal that each displayed on the battlefield. After negotiations between the American representatives and the Choctaw chiefs had been going forward for more than two weeks, the treaty was at last signed on October 18, 1820. The grand council was held at grounds on the Natchez Trace at Doak's stand, a tavern about four miles north of the Pearl River in what is now the southeast corner of Madison County. Pushmataha and Mushulatubbee, the two great medal chiefs of the Choctaws, were the representatives—and helpless ones to a great extent—of the Indians in their conference with the Americans.

The Choctaw cession comprised all the lands, except a few reservations, which lay west of a line drawn northwardly from a point on the former Choctaw boundary near the southeast corner of Simpson County to the source of Black Creek, a tributary of

the Yazoo; thence westward to its mouth, and from that point, by a direct line, to the Mississippi River one mile below the mouth of the Arkansas. The broad area was thus thrown open to the white man and to an extension of Christian civilization that would appear even more beautiful if it reflected more of the spirit of the divine law it sought to uphold.

The New Purchase was subsequently erected into the counties of Hinds, Simpson, Copiah, Rankin, Madison, Bolivar, Yazoo, Washington and Holmes, and was rapidly filled up with new settlers of Anglo-Saxon origin from the older communities of the Southern States and from the southern counties of Mississippi.

The Doak's Stand treaty was nullified by Secretary of War Calhoun, but in 1825 the cession was carried into effect by new compensations and annuities at the treaty held in Washington, D. C., on the 20th of January of that year. Both Pushmataha and Mushulatubbee were delegates to that conference but both died before the treaty was signed.

DEATH AND BURIAL OF PUSHMATAHA

The celebrated Choctaw chief, Pushmataha, was one of the few leading red men of America who—though he was intensely loyal to his own race—acknowledged the growing power of the American Republic and felt honored to have his tribe numbered among its supporters. He had played his part in every crisis that arose and his consistent loyalty had won him the sincere admiration of the white man. During his visit to Washington he was received with marks of high honor by President Monroe and Secretary of War Calhoun. The distinguished chieftain also visited General Lafayette, who was then at the national capital as the guest of the country, making his tour of the United States. While in Washington, Pushmataha, unaccustomed to the lavish feasting and drinking to which he yielded too immoderately, was taken seriously ill and died soon after. One of his biographers writes of his death as follows:

"Finding that his life was drawing rapidly to a close, he expressed the desire that he should be buried with military honors, such as became a warrior, and that the 'big guns' should be fired over his grave. His last request was religiously complied with. He was accorded all the honors of a military funeral, such as befitted a great chief. A procession, civil and military, of more

than a mile in length, followed the dead chief to his last resting place in the Congressional cemetery."

"Thus perished Pushmataha," Claiborne continues in eulogistic phrase, "the great Choctaw warrior. He was of humble and lowly origin. In other words he could not trace his lineage from a long line of warriors, a fact of which, like the great Napoleon, he was proud. Napoleon, at the height of his power, exclaimed: 'I am the founder of my own dynasty.' The great Choctaw chief once said: 'I had no father, no mother, no brother, no sister. The winds howled, the rain fell, the thunder roared and the lightning flashed; a pine tree was shivered, and from its splinters stepped forth Pushmataha with his rifle on his shoulder.' "

Among the statesmen of the day to pay tribute to the famous chieftain were Andrew Jackson and John Randolph, the former characterizing him as "the greatest and the bravest Indian" he had ever known, and the latter declaring him in the course of a eulogy pronounced in the United States Senate "wise in counsel, eloquent in an extraordinary degree, and on all occasions and under all circumstances the white man's friend." There was doubtless a full share of maudlin sentiment and affectation in the idealism that made up these tributes to the Indian chieftain, but there was great sincerity—pompously maintained, it is true—in the speeches of the occasion.

THE FIRST SESSION OF THE GENERAL ASSEMBLY OF 1821

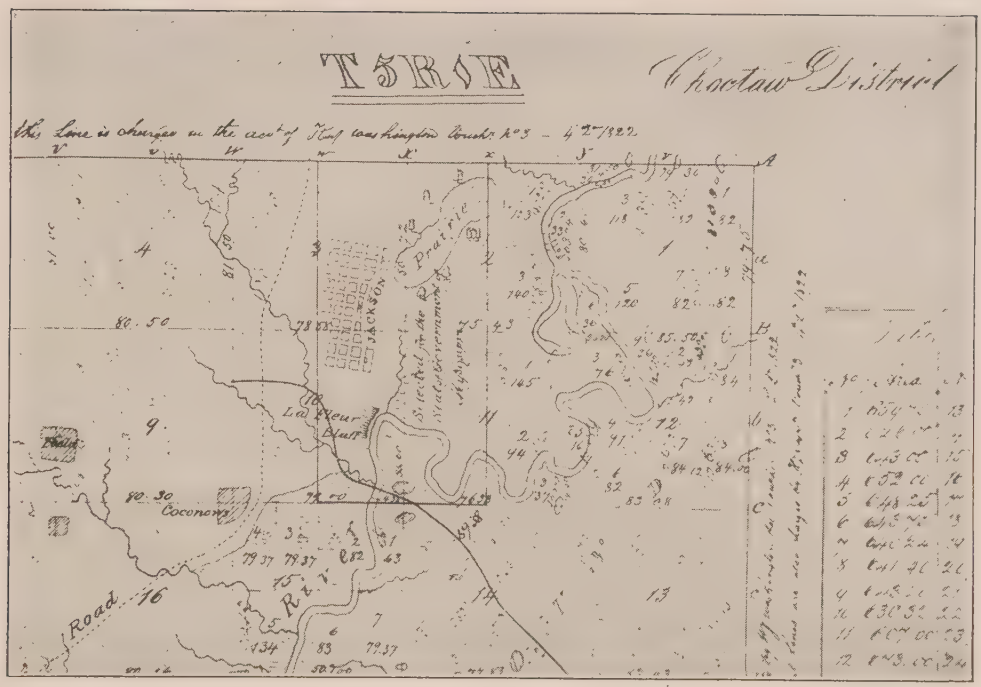
At the first session of the General Assembly which convened in January, 1821, a number of important measures were passed, some of them in direct response to Governor Poindexter's message. Among his most earnest and forceful appeals was for the Assembly to make some provision for public education, declaring that "the almost total absence of schools and colleges was calculated to mortify the pride of Mississippi." In July of the preceding year, 1820, the Alabama-Mississippi boundary line had been surveyed by Thomas Freeman, surveyor general for Mississippi, and Gen. John Coffee, a Creek war hero, surveyor general for the Alabama District, and it had been determined that a large tract of the original Chickasaw cession lying along the eastern tributaries of the upper Tombigbee River, which had been attached to Alabama for political purposes, was really embraced within the boundaries of the State of Mississippi. On this point Governor

Poindexter's message of January, 1821, bore as follows: "It appears that a considerable population on the waters of the Tombigbee formerly attached to Alabama fall within the limits of this State. They are at present unrepresented in our legislature, and have no officers, civil or military, appointed among them. Their remote situation from the settled parts of the State renders it necessary that, after forming of them a new county, a special judge of the superior court should be appointed to reside in the county." Schools for these outlying districts also came in for much discussion, a number of a private nature having already been established among the pioneers.

The Governor renewed his recommendation for a codification of the State laws, and the legislature responded in February by passing an act entrusting the entire task to him instead of to three "distinguished citizens." This combination of executive and legal activities was unusual and did not meet with the approval of such men as Cowles Mead, Charles B. Green, David Dickson and Thomas Torrence, who entered their "solemn protest" which was spread upon the records of the senate.

The portion of the Governor's message which created the greatest excitement was that in which he assailed the new charter of the "Bank of the State of Mississippi." It had been chartered in territorial times as the "Bank of the Mississippi," with a capital stock of $500,000 and a corporate life limited to 1834. The legislature of 1818 had chartered it as a State institution under the name of the Bank of the State of Mississippi; the capital stock was raised to $3,000,000 and the life of the corporation extended to 1840. The institution was authorized to establish branches of discount and deposit, wherever desired, in the State, and monthly statements of its financial condition were to be made to the Governor. But the provision of the legislative act most severely criticised was the stipulation that, "No other bank shall be established by any further law of this State, during the continuation of the aforesaid corporation, for which the faith of the State is hereby pledged."

In Governor Poindexter's able denunciation of the new charter, the following arguments against it were used: "Exclusive privileges are by this act secured to a corporate body, without an equivalent to the State, until the year 1840. The power to regulate the circulating medium and emit bills of credit; to grant



MAP SHOWING THE LAND DONATED BY THE UNITED STATES TO THE STATE OF MISSISSIPPI FOR A SEAT OF GOVERNMENT

facilities to agriculture, to commerce and manufactures, or withhold them at pleasure; to inflate prices and depress them at will, the result of which is unavoidable ruin to those whose credibility leads them into the snare—these are the high prerogatives held by a few monied capitalists of the State, under the guaranty of a legislative sanction, without the reservation of a right to institute any effectual inquiry into the purity and impartiality with which they have been exercised." He added that the pledge to incorporate no other bank "was an assumption of power not warranted by the constitution. No one General Assembly can bargain away the right of its successors over a legitimate subject of legislation; much less can they make a donation of privileges which shall bind posterity." The Governor recommended that the bank be required to pay a bonus into the State treasury according to the usages of other states. It does not appear that this was done, but bank stock was taxed 25 cents on the hundred dollars.

LOCATING THE NEW STATE CAPITAL

The General Assembly of January, 1821, also provided for the selection of a permanent capital near the geographical center of the State, its area open for population having increased with the removal of the Indians from its northern and central portions. By act of February 7th, Columbia, Marion County, in the far southern part of the State, was temporarily selected, and five days afterward Thomas Hinds, James Patton and William Lattimore were appointed commissioners to locate within twenty miles of the center of the State the two sections of land which congress had donated as a seat of government in 1819, when the Indian title to the same should have been extinguished. This had been done by the Choctaw cession.

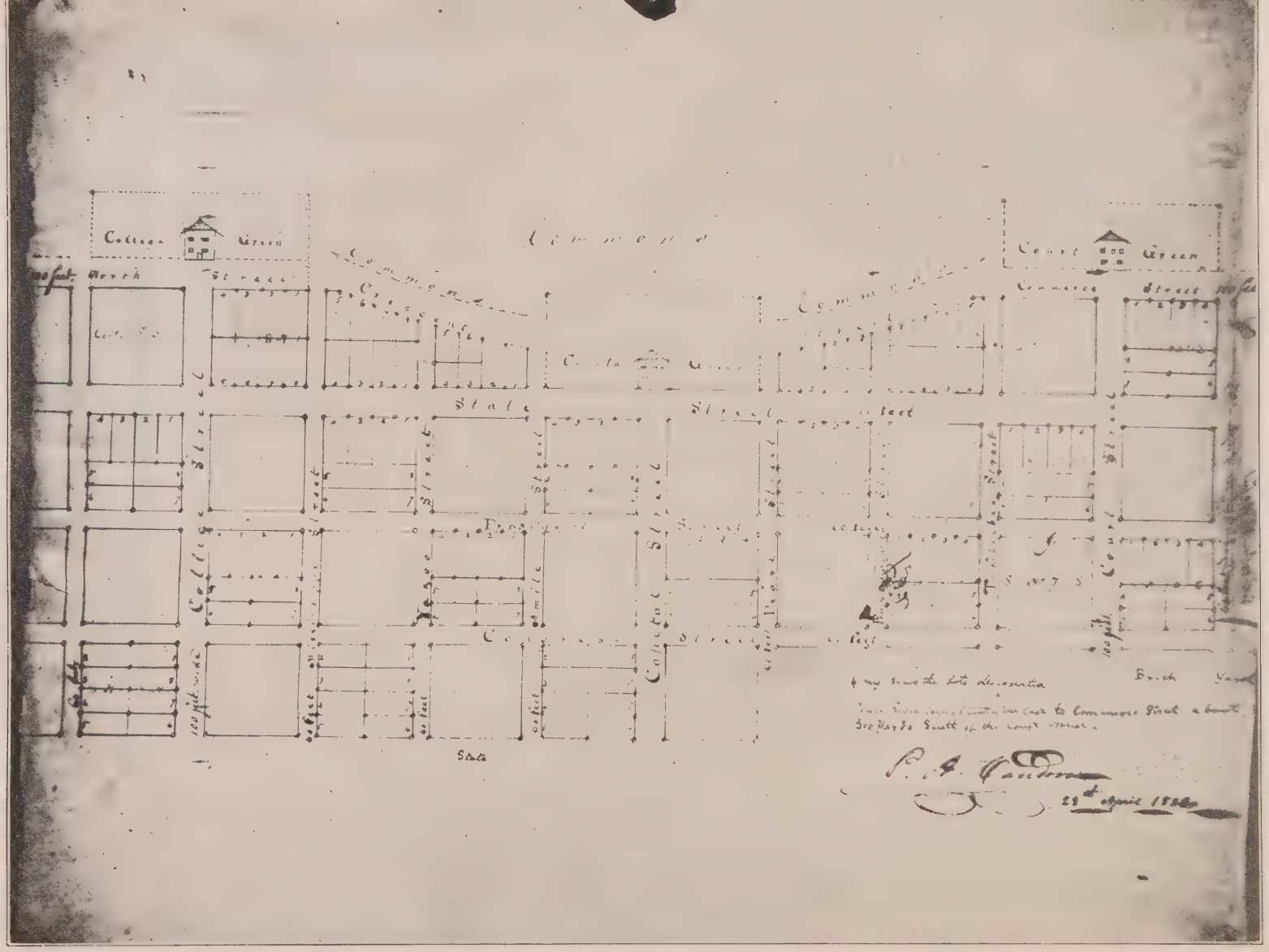
Major Freeman, the surveyor general of the State, estimated that the center of the State was near Doak's stand, in the locality where the Choctaw treaty had been made. On November 12th, two of the commissioners, Hinds and Lattimore, left Columbia for that part of the State. After investigation they became satisfield that the Big Black country near the geographical center offered no desirable site for the proposed capital, so they retraced their steps southward until they reached a location ten miles from the Choctaw agency, at what was known as Le Fleur's Bluff on the western shore of the Pearl River. The beautiful and health-

ful surroundings, good water, abundant timber, navigable waters, and the fact that the school section of the township was only a mile away, decided Colonel Hinds and Dr. Lattimore to recommend the locality as an appropriate site for the State capital. The report of the commissioners was submitted to the legislature November 20, 1821. On account of its importance and in view of the fact that it has never before appeared in a history of the State, it is given in full as follows:

MISSISSIPPI LEGISLATURE

Report of the Commissioners appointed by the Legislature, for Locating and Establishing a Permanent Site, for the Seat of Government of the State of Mississippi:

In obedience to the act passed at the last session of the General Assembly, entitled "an act to appoint Commissioners to locate the lands given by the United States to this State, for a seat of government," the undersigned, two of the Commissioners appointed by said act, met at the Choctaw Agency, on the 11th instant, to perform the duties assigned to them. As the Commissioners were required to make the location within twenty miles of the geographical center of the State, it was a necessary preliminary step, to ascertain, from the best authority, where the true center was, and it is from the obliging disposition of Major Thomas Freeman, that the Commissioners have satisfactory information on this point. According to his calculations, the center of the State is very near to Doke's [Doak's], well known as a public stand on the road to Tennessee, and as being on the new boundary line. The next step was, to obtain information respecting the country within the limits prescribed; and here it may be well to state, that the previous accounts, both of white persons and Indians, were found to be perfectly correct, in every instance in which the Commissioners themselves viewed the places to which their attention was called. The objects of inquiry, and the considerations which influenced their choice of a site, were, an elevated position, pure water, wholesome air, fertile soil, and useful timber, near some navigable stream, and in the direction of public roads. As to a navigable stream, a mere glance at the map will show, that no other than Pearl River and the Big Black, could claim the attention of the Commissioners, in point of proximity to the center of the State. With respect to the Big Black,



FACSIMILE OF ORIGINAL MANUSCRIPT MAP OF THE CITY OF JACKSON AS MADE BY THE COMMISSION CHARGED WITH THE DUTY OF LOCATING A CAPITAL FOR THE STATE OF MISSISSIPPI

after much enquiry, the Commissioners were fully convinced that no eligible position near the navigable part of this river, was embraced by the limits prescribed. As to public roads, it is too far out of the way of the great points of intercourse which are already established, and which must always secure to the upper parts of Pearl River, the advantages of the main road from the Western states to Natchez, and to the vast regions which lie westwardly, without the limits of the United States. These considerations could not but determine the Commissioners to search for a suitable situation near the river last named.

The Yellow Cane Bluff, having been suggested from a very respectable source, the Commissioners set out for this place, on the 12th instant, accompanied by Middleton Mackay, who was very useful to them, both as an interpreter and a guide. Several intermediate points, to which their attention had been called, were visited on their way, none of which deserve remark. The Yellow Cane Bluff was viewed with particular attention, and all necessary information respecting it was obtained. A handsome site for a State House and Town might be selected on the high lands, about three-quarters of a mile from the river, and nearly the same distance from the only spring which could be heard of, issuing from the Bluff, and subject to inundation for a considerable part of the year. According to the information of the Indians living on the Bluff, and of others whose veracity is unquestioned, it is often nearly surrounded by high water, which rises within a few feet of its highest part. In addition to these objections, the adjacent lands are too poor to admit of any settlement that would be an acquisition to a town.

Being decidedly of the opinion, from all the information received, that no eligible position could be found within the prescribed limits, the Commissioners returned from the centre, and determined to explore other parts without the limits, for the information of the General Assembly. In pursuance of this determination, they set out on the morning of the fourteenth instant, still accompanied by Mr. Mackay, from Edward Mitchell's (late Turner Brashear's) and viewed other parts on the river between that place and Le Fleur's Bluff. In this route they examined a Bluff, called Coalkiln Bluff, near which they found tolerable good springs. This discovery induced them to look for an elevated spot, suitable for the site of a town: but none could be found

near enough to a landing place, or to the springs. They then proceeded downwards to Le Fleur's Bluff, already mentioned, of which they had taken a slight view, separately, before they first met at the Agency House. This view having given them, respectively, favorable impressions, and having found an exclusive predilection for it in all those with whom they conversed, the Commissioners concluded to examine with particular attention, all its localities, with reference to a suitable site for a State House and Town. The result of which is, a decided and unqualified preference in favor of this point.

Le Fleur's Bluff is situate about ten miles south of the Choctaw Agency House, on the west side of Pearl River, washed about four hundred yards by the river, and elevated, according to information, about twenty or twenty-five feet above the highest floods. About eight hundred yards obliquely from the river, is presented, from an eastern position, a beautiful eminence, continuous with the bluff, agreeably undulating, and of ample extent. On the east side it falls off, by an easy slope, into an extensive flat of dry, fertile land, whilst on the west it maintains nearly an equal height with the adjacent hills. This eminence is, in fact, a continuation, and the bluff the termination, of a ridge extending from the high lands, in a regular, gradual and almost imperceptible descent.

The objects of enquiry with the Commissioners were, as already suggested, an elevated position, pure water, wholesome air, fertile soil, useful timber, a navigable stream and the advantage of public roads. These requisites will be considered with reference to the situation in question, under distinct heads.

An elevated position.—This has been already noticed, and the Commissioners have less diffidence in recommending, than in describing the site.

Water.—Immediately in front of the eminence described as above, and about three hundred and fifty yards distant, is a never-failing spring of pure water; and it is believed, that at the expense of a little labor, this may be improved, and others found. Farther off, say eight hundred yards, in the bottom land is a stream which is represented as affording good water during the year: and in less than a mile farther, in the same direction, is, according to information, a lake of living water, abounding with fish. From what the Commissioners have seen and heard, they

are of the opinion, that as it respects good water no reasonable objection can be raised to this place. The adjacent country indeed, in common with nearly the whole of the late purchase, labors under objections on this score. There are, nevertheless, good springs in many places, and from the fact that good well-water has been obtained within thirty feet of the surface, about two miles west of this Bluff, at a place of greater elevation, sanguine hopes are entertained of a sufficient supply of this indispensable article in the country generally, without resorting to cisterns as a certain resource.

Air.—Travellers and sojourners have done our State justice in representing its atmosphere as pleasant and salubrious. Whatever exceptions are admissible to this general character, may be easily traced to local causes, either natural or artificial, which, in most cases, might be avoided or removed. The country in question, that is to say, the new purchase, is, in the opinion of the Commissioners, justly entitled to an equal share of commendation on the score of health, with any part of the State. This they infer from the general aspect of the country, as well as believe from the concurrent testimony of those who have resided in it during a number of years. As to the prospect of health in the immediate vicinity of the bluff in question, a qualified opinion is due. If a town should be built on the brink of the bluff, and the opposite bottom land cleared for cultivation, apprehensions might be entertained of its becoming sickly, like all other elevated situations in the country, exposed to the noxious exhalations of swampy lands. To guard against such exhalations, a residence should be chosen beyond the sphere of their influence, or protected from them by leaving a part of the living forest to arrest their progress, and counteract their effects. The position here assumed, is one which experience justifies and science explains. In applying these general observations, to the particular situation in question, it is due to the subject respectfully to suggest, that if the site recommended be adopted, and it should be deemed expedient to permit the erection of buildings immediately on the bluff, the opposite bottom land should never be cleared. The eminence herein before designated, is exempt from the objections, and needs not all the precautions, which have been suggested, in relation to the bluff. It would be well, nevertheless, to preserve a

portion of the forest between it and the low grounds; and if the protection which nature already amply affords, be perpetuated by judicious arrangements, the Commissioners can perceive no reason why a town on this site should not be as healthful as any other position within the State. The General Assembly will appreciate the peculiar interest which their Commissioners evince, and indulge the latitude which they take, in their remarks under this head. Cherishing this persuasion, and availing themselves of the protection of a great name, they venture further to suggest, that the present occasion would be a favorable one for the experiment of a town upon the Checker-Board plan, as suggested by President Jefferson, in a letter to Governor Claiborne, about seventeen years ago. Although there would not be the same necessity for such a plan, in a small interior town, as in a populous maritime City, yet it might be pursued with more propriety in the former, as it respects the value and extent of the ground. And even in a small town (to say nothing of the novelty) there would be a comfort, convenience and greater security against fire, as well as a fairer promise of health, all combined, by having every other square unoccupied by anything, except the native trees of the forest, or artificial groves. As yet, probably, this plan has not been adopted in any country; and if first adopted in this, our State would have the merit of being foremost in an improvement recommended by an eminent American philosopher, an illustrious benefactor of his country, and a friend to mankind.

Soil.—The sections which are recommended for location, have a great proportion of good land, and would be valuable, if agriculture only were the object in view. The adjacent lands also deserve a good character and for a considerable distance above and below the bluff, the country is sufficiently fertile to support a considerable town. According to information, an equally fertile soil extends from Pearl River to the Big Black, and from the latter to the Yazoo. A person who surveys the new purchase merely as he passes along the roads, forms a very inadequate estimate of its intrinsic worth. Those who explore it with a scrutinizing eye, make a far more favorable and correct report. Upon the whole, it is believed that the country lately ceded, is, in general, capable of sustaining a more dense population than the present inhabited part of the State.

Timber.—The country in general, at some distance from the

FIRST BUILDING IN JACKSON AND FIRST STATE CAPITOL. NORTHEAST CORNER OF CAPITOL AND PRESIDENT STREETS

river, on the west side, is deficient in this article. In the vicinity of the river there is an ample supply. The lands proposed to be located for the State, have an abundance of fencing timber, as well as fire-wood; and it is believed, that the location would embrace a sufficiency of Cypress, with which the swamps of the river abound. On the east side of the river, pine is the common growth.

Navigation.—The navigation of Pearl River, will be best proved from the fact. A keel-boat, of considerable burthen, has several times ascended to, and descended from, a point some miles above Le Fleur's Bluff. Judging from observation and information, the Commissioners are of opinion, that for a considerable distance above this point, the river may be navigated by boats of moderate burthen, more than half the year; and especially at that season when a market is sought for the usual productions of the soil. With respect to the obstacles which impede the navigation of this river near its outlet into the lake, the Commissioners possess no other information than what is derived from common report. These are presumed not to be insuperable, and that they will soon be removed, a doubt should not be indulged. The spirit of enterprise already displayed, in relation to this object, cannot suffer this "Half-way River," to meander through three degrees of latitude, in vain. The future products of the country which it waters above, will seek the course of exportation which nature has prepared; and the beautiful sites of Monticello and Columbia being regarded as places of deposit and exchange, should realize the solid support of an interior commerce, and grow up into considerable towns.

Roads.—A Surveyor is now marking out a road from a point near Pearl River, about twenty-five miles above Le Fleur's Bluff, to Columbus, on the Tombigby, which is to be made at the expense of the United States. It is said by those who have a knowledge of the country, that this road might be made with more facility, by giving it a direction towards this Bluff; and it is supposed that it would vary but little from a straight line, from Columbus to Natchez, assuming the Bluff as an intermediate point. Admitting this bluff as the site for the Capital, the following estimate will exhibit the supposed distances from the Seat of Government to the places which will be designated in each county in the State, by roads which may hereafter be made:

From Le Fleur's Bluff to:	Miles	From Le Fleur's Bluff to:	Miles
Columbus	130	Monticello	60
Warrenton	60	Columbia	90
Port-Gibson	55	Shieldsboro, at the Bay of St. Louis	190
Greenville	75		
Natchez	100	Winchester	100
Franklin C. H.	90	Green C. H.	125
Liberty	100	Jackson C. H.	160
Woodville	125	The center of Covington City	70
Holmesville	85	Perry C. H.	100

In addition to the local advantages which have been noticed as above, there are inexhaustible quarries of limestone about six miles below the Bluff and from one to two miles from the river, on the west side. One of the persons who conducted us to those quarries, is a bricklayer by trade, who said it was of better quality than that which had been used at the Agency-House, and which made good strong lime. It may be well to state, also, that another person of judgment and veracity informed the Commissioners, that there are on the east side of the river, within a few miles of the Bluff, two creeks on which eligible mill seats may be had, and near which an abundance of good timber may be procured. Another local advantage will conclude these details. The sixteenth section of the township embracing the Bluff is represented as being generally a body of good land, a considerable portion of which is already improved. A school may be established on this section within a mile of the Bluff and about a mile and a quarter from the eminence herein before described. A town so near would greatly enhance the value of the lands of the school; whilst the school would facilitate the education of the youth of the town.

From the plats of survey with which they have been furnished, the Commissioners estimate the distance of Le Fleur's Bluff, from the nearest part of the prescribed limits, to be fifteen miles, which will make thirty-five miles from the center of the State. The liberal and wise policy of the Legislature, in designing a central position for the Seat of Government, cannot but be duly appreciated, whilst it is regretted that the limits prescribed do not embrace a suitable site. It cannot be presumed, however, that the distance of thirty-five miles from the center, can at any future period, furnish the semblance of a pretext for removing the Seat of Government to any other place. On the score of

policy, therefore, the position recommended is considered as perfectly safe. On the score of propriety, something is due to ourselves. This comparatively small distance from the center, results from uncontrollable circumstances; and if it be considered an advantage, it ought to be conceded to the present inhabitants of the State. As to the present inhabitants, considered with respect to their various situations, the site recommended is more convenient to them all. Every mile which the Commissioners found it necessary to recede from the center, brings the proposed Seat of Government nearer to almost every settlement in the State. In this point of view, therefore, there can be little or no cause of complaint. Nor will the wise policy of the Legislature in relation to another object, besides the one suggested above, be at all counteracted by the adoption of the site proposed; for if it be adopted, the location will still be made on the vacant lands of the United States, to which no citizen of our State has a claim, and in the vicinity of which no settlement has yet been formed. Where there is no interest to attract, there can be no envy to repel. No one has a priority of interest, and none can complain of a partial choice. Hence are avoided all collisions which arise from sectional feelings, or selfish views. All have a common and equal interest in the country. The town will be the property of the State, and every individual interest in it will subserve the public good. Here general feelings may find a center of union, and patriotism a rallying point. And the hope is indulged, that the day is not distant, when western influence and eastern interests, will become unmeaning and obsolete terms. The public sentiment is favorable to this hope, and the occasion is auspicious to the harmony and happiness of the State.

If, from all the foregoing statements and views, it shall be the pleasure of the General Assembly to adopt the proposed site, the Commissioners recommend the location of the east halves of sections three and ten, and the west halves of sections two and eleven, in township five, range one, east of the basis-meridian. A legislative provision for this purpose may be either an extension of the limits prescribed to the commissioners, so as to embrace the half sections above mentioned; or a special authority designating them as the object of location; which authority may be vested in one or both of the Commissioners, or in any other

person or persons, whom the legislature, in their wisdom, may please to employ.

All of which is respectfully submitted.

Thomas Hinds.
Wm. Lattimore.

Columbia, November 20, 1821.

On November 28, 1821, eight days after the submission of the reports the original act of February 12, 1821, was amended. By the amended act Thomas Hinds, William Lattimore and Peter A. Van Dorn were appointed commissioners to locate the permanent seat of government on the east halves of sections three and ten, and the west halves of sections two and eleven, in township five, range one east of the basis-meridian. This action was in accord with the reports of the commission to locate the seat of government. They were also empowered to lay off a town on the location to be known by the name of Jackson, in honor of Major General Andrew Jackson. To this site the legislature ordered the State offices removed by the fourth Monday of November, 1822.

HINDS AND MONROE COUNTIES CREATED

On February 9, 1821, the Assembly organized the country east of the Tombigbee River, included in the Chickasaw cession of 1816 and finally determined to be within the State of Mississippi, into the county of Monroe. It remained intact until 1830, when Lowndes County was formed from its southern portion.

Hinds County was created by legislative act on the 12th of February, three days after the establishment of Monroe County, and embraced all of the Choctaw cession, or the New Purchase, of October, 1820. This great tract of country in the western and west-central sections of the State was too large to remain as a single county and soon began to be divided into other counties by the creation of Yazoo and Copiah counties in 1823.

It was in connection with Monroe County, a frontier land connected with the more settled sections of the State by the Natchez Trace and other roads, that a remarkable event occurred in the very year that it was legislated into existence. In February, 1821, the Assembly incorporated the town of Columbus, on the Tombigbee River, in the new county of Monroe, and not long afterward Franklin Academy was established. Thus did this far-away little settlement bravely respond to Governor Poindex-

ter's appeal for educational facilities. It was established on the proceeds of a sixteenth school section and was for many years the largest free school of note and permanent establishment in the State. Franklin Academy was probably the pioneer institution in the State as a free public school. Therefore due emphasis may be placed on the statement that its establishment in 1821 was an important event in the history of Mississippi. It should be noted also that all teachers and officials connected with it were scholarly men of sincere culture and refinement, a circumstance that placed it in the class with Jefferson College and Elizabeth Female Academy in the southern part of the State.

GENERAL ELECTION OF 1821

At the general election in August, 1821, Walter Leake was chosen governor by a vote of 4,730 to 1,269 cast for Charles B. Green. For lieutenant governor, David Dickson received a vote of 2,984 and Daniel Burnet, 1,559. While a scattering vote of 1,758 for the second candidates on the ticket was divided between H. W. Runnels, Joseph Johnson, Gerard Brandon and Benjamin Lee. Mississippi at this time possessed numerous citizens of high intelligence and attainment, though a number of the oldest settlers of the State were at this period growing too old for public service and within the next few decades many of the prominent pioneers returned to private life.

It was with regret that the General Assembly accepted the resignation of Felix Hughes as secretary of the senate. A resolution was passed acknowledging his service for fifteen years to both council of the Territory and senate of the State as one of "distinguished merit."

CLOSE OF POINDEXTER'S ADMINISTRATION

At the January session of 1821, the time of meeting of the General Assembly was changed to the first Monday of November. Consequently, there was another session in that year. Under legislative enactment the Assembly convened at the small but ambitious little town of Columbia at the specified time. The surroundings were in great contrast with the old Natchez District that was now wearing the air and manner of a long-established community and was beginning to claim a social life that attracted

more favorable attention than that of New Orleans. (See *The Southwest* by a Yankee, Volume II.)

The Governor's message to the General Assembly on its convening in Columbia was largely on the subject of the code he was preparing. Of this he said: "The work has occupied my undivided attention since it was commenced; it has progressed to a considerable extent, but it is not yet fully completed. The numerous statutes, enacted at different periods, having relation to the same subject and detached in single sections throughout several volumes, often mingled with provisions totally discordant in their nature and object; the entire absence of arrangement in existing laws and their imperfect phraseology, have all contributed to increase the difficulties which I had to encounter in the execution of the revision with the accuracy necessary to render it of permanent utility." He added that it would be a waste of time to go further until the legislature acted on his recommendation of a court of chancery and a literary or school fund. Regarding the latter he said: "The unavailing efforts which I have made since I was called to the executive chair to impress on successive legislatures the high obligation of affording to literary institutions within the State the means by which they may be cherished and become the depositories of literature and science, impel me again to invite your particular attention to this important duty." He also urged the adoption of better road and militia laws, and announced the finances of the State as follows: On hand January 1, 1821, $14,241; receipts since, $35,491; total credits, $49,732, of which there had been expended, $38,010.

THE LITERARY FUND AND CHANCERY COURT

The subjects upon which Governor Poindexter had dwelt in his message with the greatest earnestness were embodied in practical legislation during the early portion of the session which commenced in November, 1821. The acts which covered them were undoubtedly drawn and propelled by the Governor himself.

On November 26th, as a notable event in the early history of the State the act was passed creating the Literary fund, for the encouragement and support of education in the State. It provided that "all escheats, confiscations, forfeitures and all personal property accruing to the State as derelict and having no rightful owner, which may accrue from and after the 13th of December,

1821, be, and the same are hereby appropriated to the encouragement of learning; and all fines, pecuniary penalties and forfeitures which may hereafter be recovered of any person or persons for the violation of any penal statute, or for any other crime or misdemeanor, in any court in the State, except such fines, penalties and forfeitures as are otherwise particularly appropriated, shall be paid into the treasury as are otherwise particularly appropriated, shall be paid into the treasury of the State and also appropriated to the encouragement of learning: Provided, That nothing herein contained shall be construed to affect the rights of informers, or of persons prosecuting popular or *Qui Tam* actions, or of persons suing for penalties appropriated by law to the party injured."

All sums of money which might thereby accrue to the Literary fund should be vested in a board comprising the Governor (president), Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Presiding judge of the supreme court, Chancellor of the State and three other persons to be chosen by the General Assembly. They were to constitute a body corporate and to be known as the President and Directors of the Literary fund. An agent or collector was to be appointed in each county; "but no distribution of the principal and interest of said fund, except so much as may be necessary for the *education of the poor* of the respective counties, shall be made until the same shall amount to $50,000." School commissioners were to be appointed in each county to select poor children for purposes of education.

No teacher should be permitted to take charge of a seminary of learning in the State without being a citizen of the United States and qualified to teach the Greek and Latin languages. They were also required to be of good character and of the best social breeding. Classical qualifications were not required in teachers of the common schools, though refinement and social standing were invariably expected and insisted upon. Further requirements read: "It shall be the duty of the president and directors of the literary fund, and of the school commissioners of the several counties, to require all preceptors, teachers and other instructors of youth, to take diligent care and exert their best endeavors to impress on the minds of children and youth committed to their care and instruction, the principles of piety, justice and a *sacred regard for truth*, love of their country, humanity

and universal benevolence, sobriety, industry and frugality, chastity, moderation and temperance, and those other virtues which are the ornament of human society and the basis upon which the Republican constitution is structured."

An escheator general was created in the year following the foundation of the literary fund; the collection of escheats, however, was neglected and the fund proved insufficient in the development of general education in the State of Mississippi, though the influence of such legislation was potent in creating an intellectual aspiration in the State that was of a high order.

CREATING OF ORPHANS' COURT AND SUPERIOR COURT OF CHANCERY

Through Governor Poindexter's exertions an Orphans' court was created in each county under the jurisdiction of the judge of probate. It was established by legislative act of November 26, 1821, and on the following day was passed the measure by which the Superior Court of Chancery was established. The court was founded under the provision of the constitution providing for "a court or courts of chancery with exclusive original equity jurisdiction." Its jurisdiction was defined in detail in the act of November 27, 1821, as follows: "The said court shall have exclusive jurisdiction over all matters, pleas and plaints, whatsoever, belonging to, or cognisable in a court of equity; and the chancellor shall have power, either in vacation or term time, to grant writs of injunction to stay waste, to enjoin execution of a judgment, or to stay proceedings at law; to grant writs of *ne exeat*, and all other remedial writs returnable into said court and properly belonging to a court of chancery, and to hear and determine the same according to the rules of proceeding hereinafter prescribed."

The session of the General Assembly closed on January 7, 1822, and with it Poindexter's term as Governor. In an address of felicitation the Assembly expressed its "lively sense of the dignity, impartiality and great ability" with which he had filled the office of chief magistrate. The Governor returned to the subjest nearest his heart in the following words: "With you, I have been associated in the arduous task of providing for the people whose interests we represent a code of statute law, comprehending all that is essential to the protection and preservation of civil, political and religious liberty; with you, I have acted in giving

the first impulse to the spirit of our Republican constitution, and in affording the means by which the offspring of the poor may learn to estimate the blessings of freedom and the sacred duties and obligations of the Christian religion." The last clause of the concluding sentence referred to the creation of the Literary fund, which was mainly designed for the education of poor children.

THE POINDEXTER CODE

In the preparation of the code of laws for the State Governor Poindexter had been assisted by his private secretary, William Burns. As the author of the code, the Governor had been allowed $1,200, which he passed over to Mr. Burns who probably performed the clerical labor, the drudgery, in connection with the work. Poindexter claimed that he received no compensation with the exception of a complimentary copy of *Rees' Encyclopedia.*

After his term as Governor had expired he was elected to the house of representatives of the State that he might explain and, if necessary, defend his code. "The Assembly met in special session in June, 1822, to pass upon the code. There was particular discussion of the propositions to make void runaway matches with girls under fourteen; to make the truth no justification of libel unless the publication was with good intent; to punish a white man found in an assemblage of slaves with a fine of $20 or twenty lashes on the bare back, without a right of jury. The printing of the Code of 743 pages was not completed by Francis Baker, at Natchez, until 1824. The Poindexter Code has been the foundation of all the codes of the State of Mississippi.

SPECIAL SESSION OF JUNE, 1822

Governor Leake's term of office commenced on January 7, 1822, but, on account of the changes in the State government made by the August election of 1821 and the legislative appointments of the succeeding November, the Assembly did not convene until June, 1822. It then met in Columbia, chiefly to consider the Poindexter code. In his message, the Governor referred to it as follows:

"It is not my intention, on this occasion to recommend to your consideration, general subjects of legislation, since it is believed

to have been the object of the General Assembly, in adjourning to meet at this time, to confine their deliberations *principally* to the code of laws, which has been revised and consolidated by the Honorable George Poindexter, in conformity with the provisions of an act of the general assembly, * * * which work, I have the pleasure of informing the General Assembly, has been completed, and is herewith transmitted to the House of Representatives, together with a copy of a letter written by the reviser, advising me of the completion of the work, agreeably to the provisions of the aforesaid acts. From the known talents, the tried integrity, and great assiduity of the gentleman who was selected by the General Assembly, to perform the arduous task of revising and consolidating the statutes of the State, we may fairly presume that this work will furnish a system of laws, easily understood, and well calculated to secure the happiness, and protect the lives, liberty, property and reputation of our fellow-citizens."

On June 30, 1822, the Poindexter Code was adopted by the legislature with a few amendments.

The other really important piece of legislation which passed the special session of June, 1822, was the act defining the boundaries of the counties of the State, which became a law on the 29th of that month. By it the boundaries between the following counties were defined: Adams and Wilkinson, Adams and Franklin, Claiborne and Warren, Wilkinson and Amite, Amite and Franklin, Pike and Marion, Pike, Marion and Lawrence, Marion and Perry, Lawrence and Covington, Perry and Greene, Covington and Wayne, Hancock, Marion and Perry, Jackson and Greene, Perry and Covington, Greene and Wayne, Hancock and Jackson, and Hinds and Monroe.

JACKSON THE CAPITAL OF THE STATE

The sixth session of the General Assembly was the first legislature to convene in Jackson. It began its labors on December 23, 1822. The Lieutenant Governor and president of the senate was Dr. David Dickson, who had presided over the upper house during the June session held at Columbia. He was a leading physician, but no politician, although he is largely credited with the defeat of Poindexter for congress in August, 1822, and the election of Christopher Rankin, of Natchez. Cowles Mead was

speaker of the house. By the apportionment of 1822 there were 32 representatives in that body. The number of senators was still 10.

The new capital had been laid off in the spring of 1822 and among its first settlers was Lieutenant Governor Dickson who had been appointed postmaster. The State House, a little two-story structure of brick, had been completed several weeks before the legislators and officials occupied it. It stood on the northeast corner of Capitol and President streets. In his message to the General Assembly Governor Leake thus referred to the momentous event:

"Permit me to congratulate you on your first meeting at the place determined on as the permanent seat of our government, where, for the first time, your deliberations may be conducted in a house the property of the State, and erected exclusively for the purpose of legislation, and also on the prospect of comfortable accommodations at a place where so little could have been reasonably expected. I am fully persuaded that if your accommodations will not be equal to the wishes of those who provided them they will at least exceed the expectations of those who partake of them.

"When we reflect that this town was but a short time since entirely in the woods, in the midst of a wilderness, the former abode of untutored savages who drew but a scant support from the beasts of the forest and not by agricultural pursuits, that but little more than six months have passed since the town of Jackson was laid off; that but few persons have as yet been authorized to occupy lots therein; the great distance it lies whence all necessary supplies are to be transported—through a country, too, where no persons reside to keep the roads in repair—and above all when we view the number, dimensions and style of the buildings erected in the town of Jackson, we cannot but admire the enterprise, industry and perseverance of its citizens, and at the same time feel disposed to extend to them every reasonable indulgence that their situation may seem to merit."

In his message Governor Leake came to the defense of the Poindexter Code in that he asked judgment to be suspended until it had received a fair trial. "It becomes much more important that laws should be known and understood," he said, "than that they should be entirely approved by every member of society;

because the former is not difficult to attain where laws remain permanent, while the latter is impracticable in any situation of things."

On January 21, 1823, at this session, the extensive territory of Hinds County was first reduced by the formation of Yazoo and Copiah counties from it. The Yazoo County of that year, between the Mississippi and Pearl rivers, comprised the present counties of Washington, Holmes, Issaquena and Sharkey, and parts of the counties of Madison and Sunflower, as well as the Yazoo County of today. The new county was annexed to the first judicial district.

Copiah County created by the same act, was divided by the Pearl. The eastern portion was erected into Simpson about a year later and long afterward during the Reconstruction period following the War for Southern Independence a southern strip of the original county was surrendered to Lincoln County. The Copiah County of 1823 was also attached to the first judicial district.

Each of the new counties was entitled to one representative in the assembly, and the counties of Yazoo, Copiah, Hinds and Jefferson were constituted one senatorial district.

THE ELECTION OF 1823

The fall election of 1823 resulted in the return of Governor Leake to the gubernatorial chair by the following vote: Walter Leake, 4,730; David Dickson, 2,511; William Lattimore, 1,986. Gerard C. Brandon was elected lieutenant governor. He had been a lawyer at Washington, the Territorial capital, a soldier in the War of 1812, a member of the Territorial Assembly and a delegate to the constitutional convention of 1817. When elected lieutenant governor Mr. Brandon had abandoned the practice of the law and was a prosperous planter. Cowles Mead was speaker of the house of representatives.

IMPROVEMENT OF WATERWAYS AND ROADWAYS

The legislative session covering December, 1823, to February, 1824, was marked by the initiation of great activity in the campaign directed at congress for the improvement of waterways and roadways in Mississippi. The fact of the comparative isolation of the seat of government was of itself sufficient to start

the movement. The trust fund for internal improvements within the State, which had been provided by the enabling act of 1817, apportioned two-fifths of the proceeds from the sale of public lands to congress for the improvement of roads and three-fifths for the construction of roads and canals under the supervision of the General Assembly. No provision was made for the natural waterways of the State, and all that had been done for their development was to borrow $5,500 from the Bank of the State of Mississippi for the improvement of Pearl and Big Black rivers.

In his message to the General Assembly in December, 1823, Governor Leake recommended the opening of a road from Columbus, Monroe County, by way of Jackson, to Natchez; also one from Winchester, Wayne County, the political center of southeastern Mississippi, to the seat of government. The Robinson Road had just been laid out from Huntsville, Alabama, and Columbus to Doak's stand. As the Assembly could not open roads through the Indian country, the Governor could only petition congress for the road improvements which he suggested, designed to connect the seat of government with the main centers of population in Mississippi. He also suggested that authority be asked to apply the Three Per Cent fund to the improvement of river navigation, as well as roads. The general government responded favorably to the Governor's recommendations and suggestions and in 1825 he was enabled to draw from that fund for the improvement of river navigation and the construction of the road from Winchester to Jackson.

After the location of the capital its population steadily increased and in a few years the site had grown into a populous village that contained numerous distinguished citizens. The surrounding country was fast settled with wealthy slave-holders from Virginia and the Carolinas and this section of the State began to vie with the older southern communities of the Natchez District. But while prosperous and fast developing a landed aristocracy, the lack of roads to connect it with the outside world still kept it far inland. Though provincial and slow to realize or to acknowledge their limitations, the people were of a superior caste to the new element that sprang into prominence and control after the War for Southern Independence.

But while the capital and its people continued to thrive, the removal of the government to the new site had not been without

great expense to the State and involved numerous additional expenditures, a circumstance that kept the more cautious and less progressive representatives in a state of alarm. During the last part of Governor Leake's administration the finances of the State were at a low ebb. At the close of the year 1824 the deficit in the treasury had reached nearly $16,000, besides the debt of $15,000 to the State bank, incurred largely by anticipated expenditures on public improvements. The Governor thus commented on the situation: "It is surely no slight matter to see the public credit sinking, and its creditors hawking their warrants about the markets and disposing of them at a considerable discount, when, at the same time, the resources of the State are sufficiently ample, if they were called into action by legislative authority."

LAFAYETTE'S VISIT TO THE STATE

In behalf of Mississippi, the legislature of January, 1825, passed resolutions joining in " the general burst of national gratitude and welcome" to General Marquis de Lafayette, who was then making his triumphal tour of the United States. The distinguished guest did not reach Natchez, the only town in Mississippi at which he stopped, until April, 1825. His secretary, A. Levasseur, describes Lafayette's reception as follows:

"On Monday, the 18th of April, some distant discharges of cannon, which we heard at dawn, announced our approach to a city. Some minutes afterward, the first rays of the sun gilding Mississippi, which, in this place, rose a hundred and fifty feet above the surface of the water, showed us the tops of the houses in Natchez. Our steamboat stopped a little while arriving opposite the town, and we went on shore at Bacon's landing, where the citizens, with a calash and four horses and an escort of cavalry and volunteer infantry, were waiting for the general. * * * In proportion as we advanced, the escort increased. It consisted of citizens on horseback, militia on foot, ladies in carriages and nearly the whole population, who came in a crowd to see their beloved and long expected guest. Two addresses were made to the general—one by the president of the committee of arrangments on entering the city; the other by the mayor on one of the most elevated spots on the banks of the Mississippi, within view of the town and the river, its source of prosperity. * * * At the moment we were preparing to enter our hotel, we observed

a long procession of children of both sexes approaching us. They were led by Colonel Marshall, who requested of the general for them, permission to shake hands with him. The general willingly complied.

"The inhabitants of Natchez neglected nothing which could contribute to the pleasure of their guest during the twenty-four hours he remained with them. The public dinner concluded with toasts: 'To the Nation's Guest—The Triumph of Yorktown—France Fighting for the Liberty of the World—The Victory of New Orleans'—in fact, to all glorious and patriotic American recollections."

THE DEATH OF GOVERNOR LEAKE

At the time of General Lafayette's visit to Natchez, the Governor was so ill at his Mount Salus home near Clinton that he could not leave his bed to join in the welcome to the distinguished French-American patriot; but he sent his aide-de-camp to pay his respects to the guest of Mississippi. Lafayette sent the Governor a handsome walking stick which may be seen in the museum division of the Mississippi Department of Archives and History.

One of the last official acts of Governor Leake was to appoint Judge Powhatan Ellis to the United States senate to succeed David Holmes, who had resigned his seat in the upper house of congress, in order to become a candidate for Governor. The appointment was made on the 28th of September, 1825.

The death of Governor Leake occurred at Mount Salus on the 17th of November, 1825. Mississippi thus lost one of its founders and builders, a distinguished judge and an able and honorable public official, active in both territorial and State development. Gerald C. Brandon, lieutenant governor, at once assumed the duties of chief executive.

MOUNT SALUS, HOME OF GOVERNOR LEAKE

Mount Salus, one of the many historic homes of Mississippi, is thus described by Mrs. N. D. Deupree, a cultured descendant of the old English and Southern family of Durhams:

"Just beyond the western boundary of the town of Clinton is Mount Salus, the home of Walter Leake, third Governor of Missis-

sippi. He was twice elected to this office. Governor Leake came to Hinds County in 1823, purchased a large tract of land and with home labor cut and dressed the timbers, burnt the brick and built the first brick house in the country. The building is fashioned after the style of the old English manor-houses; square built, with wide windows, broad, heavy doors, and solid floors. * * * The quaint old hall has stone floors and deep windows, let into the thick walls high above the floor, thus admitting the light from above the old family portraits of the Leakes and the Scotch ancestors of the Johnstones, who became owners of Mount Salus through the marriage of the only daughter of Governor Leake to Henry Goodloe Johnstone, a descendant of William Wallace. Johnstone was a young man of wealth, who sought adventure in the new land beyond the sea, where he found a wife and founded a home. He became a judge in Hinds County; was a Mason of high degree and a friend of education, as was shown by his liberal contributions to Mississippi College. The first land office and the first post office were located at Mount Salus. The quaint little letter box is now (1902) among the treasures of the home; also, the sword of Governor Leake and the badge of the Order of Cincinnatus, of which he was a member. Besides these, the home contains a valuable library and many articles of value and interest collected from across the seas by a kinsman, whose ship was the first to enter Chinese ports. The old home is still in the possession of the Johnstone family, and until very recently was the home of Governor Leake's great-grandson, Carter J. Johnstone.

"Towards the east a short distance from the house is the high, brick-walled burying-ground, where rest the remains of Governor Leake, his wife, daughter and other members of the family. It is an ideal resting place—no sound disturbs the silence except the song of birds and the murmur of the winds among the pines, that keep watch over the ashes of him who was an important factor in the early history of the commonwealth."

The historic Leake home burned in 1923. In the same manner Mississippi has lost numerous historic homes of the past, and many fine colonial plantation houses were either destroyed by fire or left in possession of negro tenants after the War for Southern Independence on the removal of the owners to the towns and cities.

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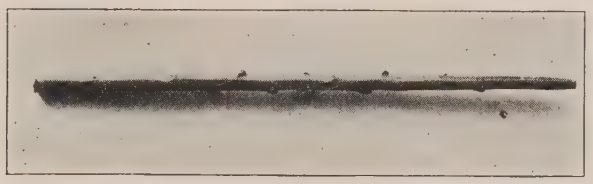


WALKING CANE PRESENTED IN 1825 BY THE MARQUIS DE LA FAYETTE TO GOV. WALTER LEAKE OF MISSISSIPPI

CHAPTER XV

EXPANSION AND INFLATION

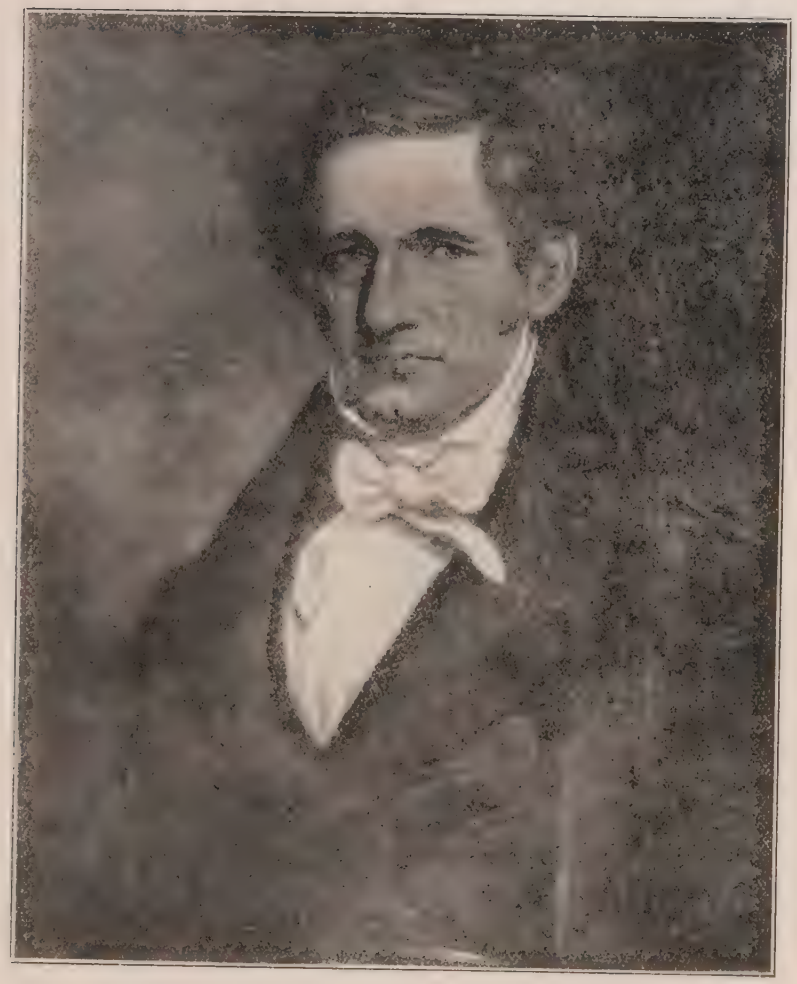
BRANDON AND HIS FIRST ADMINISTRATION—HOLMES' LAST ADMINISTRATION—MISSISSIPPI'S POSITION ON SLAVERY—BRANDON CALLED TO THE GOVERNORSHIP AGAIN—SECOND TERM AS ACTING GOVERNOR—FINANCES AND TAXES—GOVERNOR BY ELECTION—ANDREW JACKSON VISITS CAPITAL—IMPORTANT LEGISLATION OF 1829—BOARD OF INTERNAL IMPROVEMENT CREATED—FORCING THE INDIANS WESTWARD—REVIVAL OF EDUCATION—FINANCIAL MATTERS OF 1830—THE NEED OF A NEW CONSTITUTION—THE FALL ELECTION OF 1831—BUILDING RAILROADS—CLOSE OF GOVERNOR BRANDON'S CAREER.

Gerard C. Brandon, the first native born son of Mississippi to hold the office of Governor of the State was a decided credit to his birthplace and to the office he occupied. He was born at Selma plantation, nine miles from Natchez, when Don Carlos de Grand Pré was Governor of that district under Spanish authority. In his veins was Irish, Scotch and English blood. His father came to South Carolina shortly before the War of the Revolution and served with Marion and other patriot leaders in that State. The elder Brandon moved to the Natchez District in 1782.

The future Governor was educated in the law, but at his marriage in 1816 abandoned it for the life of a planter—a life that held much charm for the better class at that day. In the following year he was sent to the constitutional convention as a delegate from Wilkinson County. His first term as lieutenant-governor commenced on January 7, 1824, and at the death of Walter Leake, November 17, 1825, he became chief executive for the first time.

BRANDON AND HIS FIRST ADMINISTRATION

As Governor Leake died only about seven weeks before the expiration of his term, the acting chief executive had little more to do than to keep the wheels of the State government in operation, and to deliver the annual message to the general assembly on January 7, 1826.



GOVERNOR GERARD CHITTOCQUE BRANDON
From an oil portrait in the Mississippi Hall of Fame

The election of August, 1825, had resulted in the reelection of David Holmes over Cowles Mead by a vote of 7,846 to 1,499, and the acting Governor had been chosen lieutenant governor. Governor Brandon's address to the legislature of January, 1826, was mainly devoted to the finances of the State. The chief executive stated that there was a balance against the treasury of $41,000, of which $21,000 was due the State Bank of Mississippi. He did not expect that the assessment of taxes under existing laws would provide for current expenses and added that the officers of the State would be compelled to sell their warrants at a discount or wait to the end of the year for their pay. He further said: "It is necessary for the honor and dignity of the State that good faith be observed and all important that public credit be established. Mississippi, as yet, has done nothing towards internal improvement and but little for the encouragement of education. In every public institution the stock of which is calculated to produce a revenue, it appears to me the State should be the principal concerned. By this policy she might, in a few years, have an overflowing treasury, and her citizens be relieved of direct taxation."

Governor Brandon recommended a revision of the revenue laws. The question of slavery had already been brought before the General Assembly in the preceding session and had resulted in the rejection of the Ohio resolution proposing the emancipation of slaves in the United States and the approval of the constitutional amendment submitted by Georgia to prohibit the interstate slave trade. In his message to the legislature of January, 1826, Governor Brandon submitted, without comment, the resolutions of the legislatures of Delaware, Connecticut, Illinois and Indiana, concurring with the Ohio pronunciamento.

HOLMES' LAST ADMINISTRATION

The third and last administration of Governor Holmes began January 7, 1826. In his inaugural address he spoke of the needs of public education and the great importance of improving the navigable rivers and opening new roads into the growing sections of the State. But the condition of the finances of the State compelled him to suggest that "a revenue of a few thousand dollars above what is requisite for the ordinary expenditures of government in common times" would be required in order to borrow

money to begin such improvements. The *Encyclopedia of Mississippi History* states:

"At this time there were a little over 10,000 taxable inhabitants in the State. Lands were assessed for such tax levies as might be made; those within eight miles of Natchez (according to quality) at $3, $8 or $12, and in other parts of the State, according to proximity to the Mississippi River; the most valuable at $4 to $7 and least valuable at $2 to $3. There was a poll tax of 75 cents on each free white male. Slaveholders were taxed 75 cents on each slave. Every free man of color was required to pay $3 a year. Town lots and buildings and business incomes were taxed 20 cents on the $100 of value; bank stock 25 cents. It is apparent that the revenue system was framed in the interest of the plantations. To meet the emergency at this time a heavy increase in all taxation was made; watches were taxed 50 cents and clocks, $1 each. At the same time the State was able to provide for a number of bridges and new roads by the use of the three per cent fund from the general government."

At this session of the legislature the act of June, 1822, prescribing the mode of ascertaining and assessing taxable property, as well as collecting the public revenue, was amended in several particulars. Collectors were authorized to put the assessed under oath, in case they had reason to suspect that they were not making true returns, and clerks of the courts of record, were instructed to pay over to the collectors all moneys received for the use of the State or county. It was also provided that in Adams, Claiborne and Wilkinson counties the offices of assessor and collector should be separated.

By an act of January 24, 1826, the General Assembly created Jones County, in the pine belt of Southeastern Mississippi, from parts of Covington and Wayne counties. It obtained much public notice on account of the position some of its citizens took in opposition to secession. However, toward the last of the war many of its citizens petitioned to have the name of the county changed to that of Davis, and for a short time it was thus recognized.

MISSISSIPPI'S POSITION ON SLAVERY

The measure which caused the greatest comment and excitement and brought Mississippi into national notice was the action of its General Assembly regarding the emancipation resolutions

of the eastern and western states already noted. In January the matter was referred to a committee, of which William Haile, an able and energetic representative of Wilkinson, was chairman. In his report, which was adopted by both houses of the legislature, is the following exposition of Mississippi's position on slavery:

"That, under the constitution and laws of our country, the right of property in slaves is as sacred and inviolate as that of any other species of property whatever. However great may be the national evil of slavery and however much we may regret it, circumstances over which we have no control have rendered it inevitable, and places it without the pale of legislative authority. We, therefore, cannot concur in any arrangement for their emancipation by any legislative enactment without violating the constitutional rights of our citizens. Any interference in our own internal concerns upon subjects of this kind is only calculated to engender feelings of prejudice which, if fostered by the continued efforts of the non-slave holding states, may eventually produce consequences deplorable to society, and tend to weaken that bond of union and fellowship which should exist between all the members of the same confederacy. Your committee conceive, also, that any measures which might be taken by other states to ameliorate the condition of the slave would tend rather to aggravate than relieve his misfortunes. By a gradual emancipation the hopes and prospects of those who remain in slavery would be so far excited as to create a spirit of discontent and insurrection, which might not only endanger the interests but the personal safety and lives of our citizens. And it is, therefore, with serious apprehensions for our peace and safety that your committee witness the combined efforts of several of the non-slave holding states in their behalf. By holding out the semblance of aid and prospect of freedom they might be easily stimulated to rebellion, and our citizens might fall victims to a policy against the exercise of which they protest and in which policy they are determined not to participate. We, therefore, most sincerely deprecate and will continue firmly to resist all interference on the part of other states. The Southern states, who suffer and are compelled by circumstances to endure the evil, ought to be the best judges of the remedy; and as soon as they can concur in any expedient for their relief it will be time enough to adopt it. This State, in the language of Georgia, 'claims the right with her Southern sisters,

whose situation is similar, of moving this question when an enlarged system of benevolence and philanthropic exertions, in consistency with her rights and interests, shall render it practicable."

BRANDON CALLED TO THE GOVERNORSHIP AGAIN

For a number of months Governor Holmes' health had been declining and in the summer of 1826 he summoned Lieutenant Governor Brandon to relieve him of his official duties. On the 25th of July he tendered his formal resignation. His doctors advised a change of climate and a sea voyage. At all events he must be absent from the State for several months. Mr. Brandon therefore became chief executive of the State.

Governor Holmes thus terminated his valuable and exceptional services as governor of Mississippi extending over a period of eleven years and one month. But his departure from the State in which he had resided for eighteen years for his old home in Winchester, Virginia, during the year 1827, was not temporary. He never returned to the Commonwealth which he had served so faithfully and creditably, but after five years of suffering died on August 20, 1832. Considering the high type of his character, his long residence in Mississippi speaks well for the social atmosphere of the Commonwealth. At any time he could have returned to his native State where were still to be found his near relatives, but not until ill health forced him to do so did he abandon the State of his adoption.

SECOND TERM AS ACTING GOVERNOR

Governor Brandon delivered his second address, as acting governor, to the General Assembly which convened in January, 1827. Among his recommendations was that providing for an additional judicial district to embrace the county of Monroe, "now the most populous of the State," and the county of Yazoo, which then included all the recent Indian cession north of Hinds and Warren, and the establishment of a penitentiary. During his first administration as a State governor, Holmes had recommended its establishment, and ten years passed before it was again urged by Governor Brandon in the following manner:

"It may be the policy of the legislature at as early a period as our resources will justify to establish a penitentiary. Punishments, through a spirit of revenge, for the infraction of penal

laws, are, or ought to be unknown to a civilized community. The object, then, can be no other than to *reform the offender*, and at the same time to protect society from a repetition of the offence —these can be effectually accomplished only through the medium of a penitentiary. To inflict ignominous punishment on the offender and then turn him back upon society, so far from producing reformation only prepares him for the commission of the worst crimes. To protect society, then, it becomes necessary to resort to capital punishment." He suggested that the labor of prisoners would not only be self-supporting, "but, in the course of time, productive of a revenue."

FINANCES AND TAXES

It appears from the message of the Governor that the receipts of the three per cent fund then amounted to nearly $22,000 and about $100,000 had been expended altogether on roads and bridges. By the revenue act of the 1827 legislature the poll tax was reduced to 50 cents and the slave tax to 62½ cents. Carriages were taxed $1. Although the Governor was authorized by the act of February 5, 1827, to sell state bonds for $250,000 with which to purchase stock in the State Bank of Mississippi and liquidate the $21,000 debt to that institution, he could not float the securities in the East.

The Assembly had already taken the first steps to break the monopoly of the State Bank of Mississippi, the charter of which expired in 1832, and Governor Brandon opposed the establishment of the United States Bank in Mississippi. He said, in 1828: "Efforts having been made by many of our fellow citizens to procure the establishment of a branch of the United States Bank at Natchez, it was deemed advisable to postpone further efforts (to make the $250,000 loan) until the meeting of the General Assembly. In the event of the introduction of a branch of the United States Bank in our State, the dividend of the Bank of the State of Mississippi would be so far reduced as not to make it an object desirable that this loan should be carried into effect."

GOVERNOR BY ELECTION

In August, 1827, Mr. Brandon was elected governor to succeed himself by the following vote: Gerard C. Brandon, 5,842; Daniel Williams, 3,392; Beverly R. Grayson, 1,861; scattering, (A. Wil-

liams and D. W. Williams), 127. For Lieutenant Governor this vote was cast: Abram M. Scott, 5,454; Benjamin Lee, 3,650; Thomas Anderson, 1,184; scattering, 199.

Governor Brandon's message to the legislature which met in January, 1828, indicated that the State finances had improved and that receipts of public revenue had virtually overtaken expenditures. A memorial was sent to congress by the General Assembly to extend the time of payment of public lands already sold and to induce the Indians to move west of the Mississippi and obtain their Mississippi lands for white settlers. Congress was also asked to turn over to the legislature the $8,000 which it had appropriated to improve the east pass of Pascagoula River. The State had also appropriated $3,500 for the same purpose.

Several changes were made in the counties of the State in February early in the session. Hinds County east of the Pearl River was erected into the County of Rankin, a part of Washington was annexed to Yazoo and commissioners were appointed to run the new boundary between Warren and Washington counties.

ANDREW JACKSON VISITS THE STATE CAPITAL

An event of great moment to the Assembly and the people of Mississippi was the visit of Gen. Andrew Jackson to the capital city which bore his honored name. The red-letter day was January 20, 1828. The address of welcome to the renowned soldier and presidential candidate was delivered by Wiley P. Harris, then serving his first term in the State senate for the district comprising Pike and Marion counties. General Jackson made, as usual, an apt and appropriate response. He especially congratulated the State on her record in the War of 1812, both against the Creeks and the British, saying: "Your governor and legislature, exhaustless in energy and patriotism, poured out the resources of the State and sent forth her sons to the conflict. The first gave support, the last gave renown to the nation and their gallant leader—I am proud to see him near me, sharing, as he richly merits, the gratitude and respect of his fellow citizens." This deserved personal reference was to General Hinds, General Jackson's fearless and capable cavalry leader, who had served the preceding session in the lower house of the General Assembly from Jefferson County and in the following December was to commence a congressional term to succeed William Haile.

Mississippi whose oratory was partaking of the vivid coloring then in vogue reciprocated in glowing terms, the laudatory spirit evinced by General Jackson, and proved her appreciation in a practical way by the vote cast for him and his running mate, John C. Calhoun, in the presidential election of November, 1828. Jackson received 6,714 votes for president, as compared with 3,234 cast for him in 1824, while John Quincy Adams, his opponent, lost ground in Mississippi during the four years; the vote of the latter in 1828 was 1,674 and 1,694 in 1824.

IMPORTANT LEGISLATION OF 1829

Governor Brandon's message of January, 1829, could not but earnestly refer to the leading national issue of the day centering in the tariff law of 1828. He congratulated the people on the harmony which had followed the general election and especially over the attitude of the Southern states to resist the tariff policy by constitutional means. During the session the General Assembly, by a close vote, adopted resolutions expressing the conviction that the protective tariff was "contrary to the spirit of the constitution of the United States, impolitic and oppressive in its operation on the Southern States, and ought to be resisted by all constitutional means."

The Governor announced that he had invested $25,000 in the purchase of Bank of Mississippi stock, as directed by the Assembly, and that the expeditures in the operations of the State government were now only $1,000 more than the receipts annually. The revenues promised in the future to place the balance on the other side of the ledger.

BOARD OF INTERNAL IMPROVEMENT CREATED

Another attempt was made to raise a fund for improving the rivers and roads of the State. On February 4, 1829, the General Assembly passed an act to organize a Board of Internal Improvement. It was to consist of the Governor and three commissioners, the latter representing the eastern, western and northern sections of the State. The duties of the board were to superintend and direct the improvement of the navigable streams and public highways of the State. To carry the provisions of the act into effect, the Governor was authorized to negotiate a loan of not more than $200,000, to be secured by State bonds and payable

at the Bank of the State of Mississippi. The loan was to be invested in the stock of that bank as a permanent fund for internal improvement. The three per cent fund arising from the sale of public lands and not heretofore appropriated, and all other funds arising from the sale of lands that might be given to the State by the government of the United States for internal improvement, as well as the faith of the State, were pledged for the payment and redemption of the loan.

But notwithstanding these securties and guaranties, the loan failed of negotiation. Dr. Stephen Duncan, one of the wealthy planters of the State, president of the Bank of the State of Mississippi and a citizen of the highest ability and standing, used all his persuasive powers on eastern capitalists, but failed to overcome their main objection to the danger of making such an investment at so great a distance without provision for payment of interest and principal in their own city. Therefore, as noted in Hutchinson's "Code of Mississippi," the act of February 4, 1829, "proved abortive."

FORCING THE INDIANS WESTWARD

In his message to the General Assembly in January, 1829, the Governor again referred to the urgency of an Indian migration westward. Although only about one-third of the Choctaw purchase of 1820 had been sold either to settlers or speculators, the Indians, not the whites, still possessed the "fat of the land." In actual area only about half the State was, by treaty, open to white settlers. As declared by Governor Brandon, the prosperity of the State was greatly retarded by such a large portion of fertile lands remaining in the possession of "savage tribes of Indians, who, as they progress in civilization, become attached to the soil and cannot be induced to remove by the policy heretofore used of treating them as a sovereign people, and will, eventually, set up for themselves a government, professing to be an independent sovereignty within our limits, in defiance of the authority of the State. These things cannot be tolerated, consistent with our best interests, honor and safety."

Without waiting for treaty stipulations conducted through the Federal government and the formal cession of the Indian lands, the Assembly proceeded to extend the laws of Mississippi over the red men within its bounds; to abolish their sovereignty,

without their knowledge or consent. The first step in the process was the passage of the act of February 4, 1829, by which legal process was extended into that part of the State then occupied by the Chickasaw Indians. The Indian country was divided into districts over which was extended the jurisdiction of the judges and the justices of the peace of the adjoining counties, viz.—Wayne, Simpson, Rankin, Madison, Yazoo, Washington and Monroe. As trouble with the Indians and complications with the general government did not ensue from this piece of legislation, the General Assembly went considerably further in the following year. By an act passed January 19, 1830, the laws of Mississippi were extended over "the persons and property of the resident Indians." Their own government was abolished and the citizenship "enjoyed by free white persons" granted them. Their marriages, however, were validated. But the following provision struck at the very life of their tribal organization:

"Any person, or persons, who shall assume on him or themselves, and exercise in any manner whatever the office of chief, mingo, head man, or other post of power established by the tribal statutes, ordinances or customs of the said Indians, and not particularly recognized by the laws of the State, shall, on conviction upon indictment or presentment before a court of competent jurisdiction, be fined in any sum not exceeding $1,000, and be imprisoned any time not exceeding twelve months, at the discretion of the court before whom conviction may be had."

Neither of these acts was ever put in force, but they doubtless had the effect of creating fear in the minds of the Indians that the white man's laws would be imposed upon them. The Treaty of Dancing Rabbit Creek made in the fall of 1830 which started the Choctaw Nation toward the west was the first decisive step taken to rid the State of Mississippi of her Indian residents. In fact, after the latter treaty, at the request of the United States government, Governor Brandon suspended the acts mentioned.

Andrew Jackson, as President, pressed the government policy for the removal of the Indian tribes beyond the Mississippi, and was largely responsible for the treaty of Dancing Rabbit Creek of 1830. By the year 1829 the original 2,000,000 acres in the Natchez District open to settlement had been enlarged to include about half the area of the State through purchase by the United States government from the Choctaw and Chickasaw tribes. Only

about one-third of the Choctaw purchase of 1820, which embraced Hinds County and the main portion of the Yazoo delta, had been disposed of either to settlers or speculators, and there was not a rapid demand for the lands already opened. Nevertheless there was a tremendous pressure by speculators for more lands and the people were generally easily persuaded that it was time for the Indians to move.

The treaty of September 27, 1830, was made at the council ground between the two prongs of Dancing Rabbit Creek in what is now Noxubee County. The American commissioners, Maj. John H. Eaton and Gen. John Coffee, of Tennessee, were close friends of Andrew Jackson, who had instructed them to make a treaty. After nearly ten days of negotiations the treaty was signed. It recited that the grant to be conveyed to the Choctaw nation began "near Fort Smith where the Arkansas boundary crosses the Arkansas River, running thence to the source of the Canadian fork, thence due south to Red River, down Red River to the west boundary of the Territory of Arkansas, thence north along the line to the beginning. * * * The Choctaw Nation of Indians consent and hereby cede to the United States the entire country they own and possess east of the Mississippi River; and they agree to move beyond the Mississippi River as early as practicable, and will so arrange their removal that as many as possible of their people, not exceeding one-half of the whole number, shall depart during the fall of 1831 and 1832; the residue to follow during the succeeding fall of 1833." Self-government and the rights of United States citizenship were guaranteed the Choctaws, as well as certain improvements on the reservation. To carry out the various provisions of the treaty the congress of 1831 appropriated over $80,000.

REVIVAL OF EDUCATION

By authority of the legislature of 1829, Governor Brandon appointed Peter A. Van Dorn, William Dowsing and James Y. McNabb as "agents to inquire into all the means and resources of this State which may or can be applied to the purposes of a general system of education, suited to the various local interests of the citizens." In the following year, the committee of the house, to which the report of the three agents was referred, approved of the views of the latter as to the supreme importance of primary

schools, designed to "lessen the wide gap between the educated and the ignorant," but the committee could not go to the length of appropriating all the balance in the treasury to the formation of a school fund. Instead, it suggested: "This legislature cannot adopt a wiser or more salutary policy than to revive the Literary Fund law, as laying a better foundation than any system which has been proposed or which has suggested itself."

The Assembly of 1829 and 1830 passed a number of acts to encourage both primary and higher education in the State. An advance in the development of the common schools was the adoption of the constitutional amendment, on February 4, 1829, authorizing the trustees of school lands to establish "as many schools in each township as they may deem necessary and to apportion the money arising from the rent of the school sections equally among said schools according to the number of resident students of each." Heretofore only one school could be established in each township.

In accord with the suggestion of the house committee of the General Assembly, an act was passed on February 12, 1830, to revive the Literary Fund law. Under that law, ten per cent of the State tax was applied to the fund and by the close of the year $30,000 of it had been invested in stock of the State Bank of Mississippi. It was believed that within two years a distribution of dividends could be made for the establishment and support of public schools. But the act to revive the Literary Fund law was repealed December 15, 1830, and on the following day a supplementary measure was passed regarding the leasing of seminary lands and directing all moneys collected thereby to be paid into the State treasury. An effort had been made in the preceding year to have Jefferson College surrender its charter, but with the establishment of a military school as a part of its working plan, that institution of higher learning gave promise of greater growth.

FINANCIAL MATTERS IN 1830

The important and absorbing feature of Governor Brandon's administration in 1830 was in connection with its banks and the State finances. The chief executive sounded the alarm in his first message of the year, as follows:

"It is a duty incumbent on us to profit by the fatal experiences

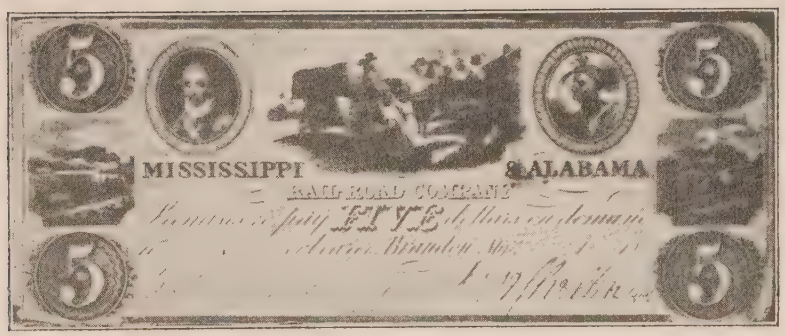
of other states in relation to their moneyed institutions; and whatever course may be adopted to relieve our fellow citizens from their pecuniary embarrassments, which the depression of the value of our only article of produce for exportation would seem to threaten, we should endeavor, both by precept and example, to press upon them the necessity of a rigid system of economy as the only effectual means of avoiding the shock. A debt created by borrowing money to obtain relief from present embarrassment, without observing such a system, returns upon the borrower when he is less able to pay and involves him in inevitable ruin."

But the banking fever and the mania for speculation and reckless inflation of the circulating medium created by State and United States corporations, had commenced its wild and disastrous course in Mississippi with the close of 1830.

In conformity with the provisions of its charter, the State Bank of Mississippi had enjoyed a monopoly of the banking privileges of the Commonwealth since December, 1809, and had used them with discretion and honor. Its charter was to expire December 31, 1832, and, looking forward to the winding up of its affairs, the bank had reduced its loans to a minimum of $300,000 and refunded its capital stock to the State at the rate of twenty-five per cent. per annum. In 1830, the bank stock amounted to $950,600; bank notes in circulation, $574,710; deposits, $307,000; surplus, $73,858; bills receivable, $1,500,000; specie on hand, $77,666. In line with its conservative policy, the bank refused to make further expansion of its circulation.

The General Assembly therefore prepared to enact legislation for the "relief of the people" by creating an institution which would increase their medium of exchange and bring prompt and magical prosperity. By act of February 10, 1830, the Planters' Bank was established in the State of Mississippi, with headquarters at Natchez. The capital was placed at $3,000,000, $2,000,000 of which was reserved for the State. Of the latter amount Governor Brandon was authorized to subscribe for 10,000 shares amounting to $1,000,000, applying the stock in the State Bank of Mississippi (except fifty shares) then owned in that institution by the State to the purchase of the stock in the Planters' Bank. In other words, the financial support of the State was to be transferred from the old and tried bank to the new and experimental. The moneys in the State treasury received from the three per

A MISSISSIPPI BOWIE KNIFE
AND SHEATH



CURRENCY OF THE MISSISSIPPI AND ALABAMA
RAILROAD COMPANY

cent. fund on account of billiard table licenses and escheated property, fines and forfeitures, were to be applied to the purchase of capital stock in the Planters' Bank. The note circulation was not to exceed thrice the capital on hand, and the stock of the bank was exempt from taxation. Its notes were receivable for taxes. In the following December the Assembly passed a supplement to the charter of the bank authorizing the State, through three commissioners appointed by the Governor, to subscribe for $500,000 in bank stock and the Governor, in behalf of the State, for $500,000, instead of $1,000,000. The meeting of stockholders was to be held on the third Monday of March, 1831. The life of the corporation was to end in 1855.

So eager were the people of Mississippi to found a bank of generous circulation that individual subscriptions to the capital stock amounting to $1,000,000 were taken in March, 1830, at Natchez, Vicksburg, Port Gibson, Woodville, Rodney, Columbus, Liberty and Monticello. Among those authorized to receive them, as named in the act, were George Poindexter and James C. Wilkins.

The Bank of the State of Mississippi, through its president, Stephen Duncan, made a last attempt to reinstate itself as the official financial institution of the Commonwealth. Stephen Duncan, its president, informed the legislature in December, 1830, that the Planters' Bank was still non-existent, and that the old State bank would consent to a renewal of its charter if extended to the end of 1850, under the conditions of a free field and non-taxation of capital stock and dividends. Whereupon the bank would receive State bonds in exchange for $250,000 in capital stock. But the offer was of no avail. Mississippi and its Assembly were determined to adopt the all-prevailing mania of expansion and inflation, and the State Bank of Mississippi decided to wind up its business as soon as possible. By act of December 19, 1831, the Assembly authorized the bank to take the final step more than a year before the expiration of its charter.

On November 1, 1831, seven weeks before the passage of that act, which authorized "the stockholders of the Bank of the State of Mississippi to close their affairs with as much advantage to the public and as little inconvenience to the individual stockholders as possible," the condition of the bank, according to a statement submitted to the Governor by its cashier, is indicated by

these items: Liabilities—Capital, $1,048,500; surplus, $84,-840.93; undivided dividends, $6,705; deposits, $209,127.29; notes, $451,040; state debt to bank, $962,823.40; due other banks, $165,-995.25; miscellaneous, $62,878.68. Resources—Bills receivable, $1,538,756.34; bills in suit, $19,606.51; specie, $83,587.70; real estate, $68,438.51; exchange on New Orleans, $282,324.73; due by branch offices, $962,310.77; due by other banks, $22,535.68; other assets, $14,350. The liabilities and resources balanced at $2,991,910.24.

By the end of the year 1831, about one-fourth of the capital stock of the State Bank of Mississippi was paid off, and eventually every dollar of it was liquidated. In November, the Planters' Bank had been placed on an operating basis. The Agricultural Bank and other financial institutions followed, even incipient and abortive railroad companies assumed the banking business, and the groundwork was laid for Mississippi's participation in the widespread financial crash of 1837.

THE NEED OF A NEW CONSTITUTION

The decennial census of the State for 1830 indicated that Mississippi had a population of 136,621, an increase of 61,173, or more than 81 per cent. over that of 1820. In the progress and development of Mississippi, many things had been outgrown, including the constitution of 1817.

In January, 1830, a bill providing for a constitutional convention was introduced in the house but was indefinitely postponed. In the following November the Governor reverted to the subject in his message to the General Assembly, as he believed that popular sentiment was now in favor of the convention. The agricultural and industrial conditions were gratifying, and by the late Indian Treaty of Dancing Rabbit Creek the threatened complications over the State's jurisdiction in the Indian country had been settled and a vast area of land thrown open to settlement. "In the pleasant contemplation of this event," he added, "we see the dawn of our future greatness as a State."

From the reports of that period it is learned that the State expenditures amounted annually to these sums: For the legislature, $14,000; courts, $18,000; statehouse officers, $5,000; education, $2,500; militia, $300; deaf and dumb children in the Kentucky asylum, $200. The Bank of the State of Mississippi owed

the State $5,400, dividends on $30,000 stock held by the State, and the State owed the bank $20,500. Other debts due the State were $15,000 from Jefferson College and Franklin Academy at Columbus and from the late State Treasurer and others, $10,000.

The taxable lands of the State were assessed at $5,677,000; town lots at $1,727,000; merchandise, $2,420,000. The peddler tax was not reaching expectations, because public sentiment exempted the clock peddlers, who were selling thousands of wooden clocks.

Although these facts and figures illustrative of the finances of the State in 1830 are not impressive to the present generation, those were the days of small things, and the presentment was so much better than that of the past, when there was a continuous running into debt, that it afforded another reason why an elastic constitution should be devised providing for growth and progress. The legislative session of November, 1830, therefore submitted the question to the people, who in August, 1831, voted decisively in favor of calling the convention at Jackson, on the second Monday of September, 1832.

THE FALL ELECTION OF 1831

Governor Brandon was not a candidate for reelection at the August election of 1831. Five candidates were in the running which so divided the vote that the governor-elect went into office with the smallest majority in gubernatorial campaigns up to that time. The vote cast was as follows: Abram M. Scott, 3,958; Hiram G. Runnels, 3,711; Charles Lynch, 2,902; W. P. Harris, 1,440; Adam Gordon, 492. The total vote was 12,503, as compared with 10,770 in 1829.

For lieutenant governor, Fountain Winston had 6,721 votes and John H. Norton, 4,746.

BUILDING RAILROADS

The last year of Governor Brandon's administration is noteworthy as witnessing the creation, in simple charter form, of the first Mississippi railroad. The first railroad in the South was completed in 1830 and was operated several miles out of Charleston, South Carolina. In the following year the little line of less than five miles was opened from New Orleans to Lake Pontchartrain. In 1831 the Mississippi General Assembly also chartered

the West Feliciana Railroad Company to run from Woodville, Wilkinson County, to St. Francisville, West Feliciana County, Louisiana. This line of twenty-nine miles was being constructed in 1837, as well as the Natchez and Jackson and the Vicksburg and Jackson railroads, but was overtaken by the financial disruption of that year.

CLOSE OF GOVERNOR BRANDON'S CAREER

Governor Brandon's third and last administration closed on January 9, 1832. He declined to accept the appointment of United States senator. His other public service to Mississippi, was in the constitutional convention of 1832 as a delegate from Wilkinson County. After a distinguished career full of valuable service to the State, Governor Brandon's death occurred on his plantation at Columbian Springs, near Fort Adams, on March 28, 1850.

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CHAPTER XVI

THE STATE UNDER THE CONSTITUTION OF 1832

THE CONSTITUTIONAL CONVENTION OF 1832—REGULATION OF SLAVES AS PROPERTY—THE ELECTIONS OF 1832 AND 1833—CONCLUSION OF GOVERNOR SCOTT'S ADMINISTRATION—LAST INDIAN LANDS CEDED TO STATE—GOVERNOR SCOTT'S DEATH FROM CHOLERA—CHANGES OF ADMINISTRATION—FIRST YEAR OF THE RUNNELS ADMINISTRATION—CONTEST OVER THE UNITED STATES SENATORSHIP—FORMER CHOCTAW CHIEF, CARROLL COUNTY REPRESENTATIVE—POINDEXTER'S DECLINE—WALKER'S ASCENT—JOHN A. QUITMAN ACTING GOVERNOR—LYNCH'S ADMINISTRATION—MISSISSIPPIANS IN THE TEXAS REVOLUTION—EXTRA LEGISLATIVE SESSION OF JANUARY, 1837—THE CRASH OF 1837—THE ELECTIONS OF 1837-38—THE CHOCTAWS AND CHICKASAWS IN 1837.

The four years from January, 1832, to January, 1836, were crowded with events in Mississippi history both interesting and molding. Those which stood out above others were the adoption of the constitution of 1832 and the division of the Choctaw and Chickasaw cessions into thirty counties.

When Abram M. Scott, of Wilkinson County, was inaugurated Governor of Mississippi in January, 1832, he went into office with Fountain Winston, of Adams County, as Lieutenant Governor. The election had been called for the choice of delegates to the constitutional convention and the second of Jackson's presidential campaigns was in progress. There was no session of the General Assembly in 1832, pending the formation of the constitution and the uncertain changes in the State government. Under its provisions the office of lieutenant governor was abolished, and Mr. Winston had no successor for thirty-eight years.

THE CONSTITUTIONAL CONVENTION OF 1832

The delegates to the constitutional convention met at Jackson, on September 10, 1832, its session of six weeks being held in the little two-story capitol that continued to stand on the northeast corner of Capitol and President streets. All the delegates were present, except one who was detained on account of illness.

The membership was as follows, by counties:

Adams—John A. Quitman, Spence M. Grayson, Stephen Duncan.

Amite—Richard Hurst, Isaiah Cain.

Claiborne—Thomas Freeland, Thomas Gale and Daniel Greenleaf.

Copiah—Seth Granberry and William P. Rose.

Covington—Frederick Pope.

Franklin—Daniel McMillan.

Greene—David McRae.

Hinds—David Dickson, James Scott and Vernon C. Hicks.

Hancock—P. Rutilius R. Pray.

Jackson—William C. Seamon.

Jefferson—Putnam T. Williams and Cicero Jefferson.

Jones—Nathaniel Jones.

Lawrence—Aloysius M. Keegan and Joseph W. Pendleton.

Lowndes—James F. Trotter.

Madison—Russell M. Williamson.

Marion—Dugald McLaughlin.

Monroe—George Higgason.

Perry—Jacob J. H. Morris.

Pike—James Y. McNabb and Laban Bacot.

Rankin—Nathan G. Howard.

Simpson—John B. Lowe.

Warren—William J. Redd.

Washington—Andrew Knox.

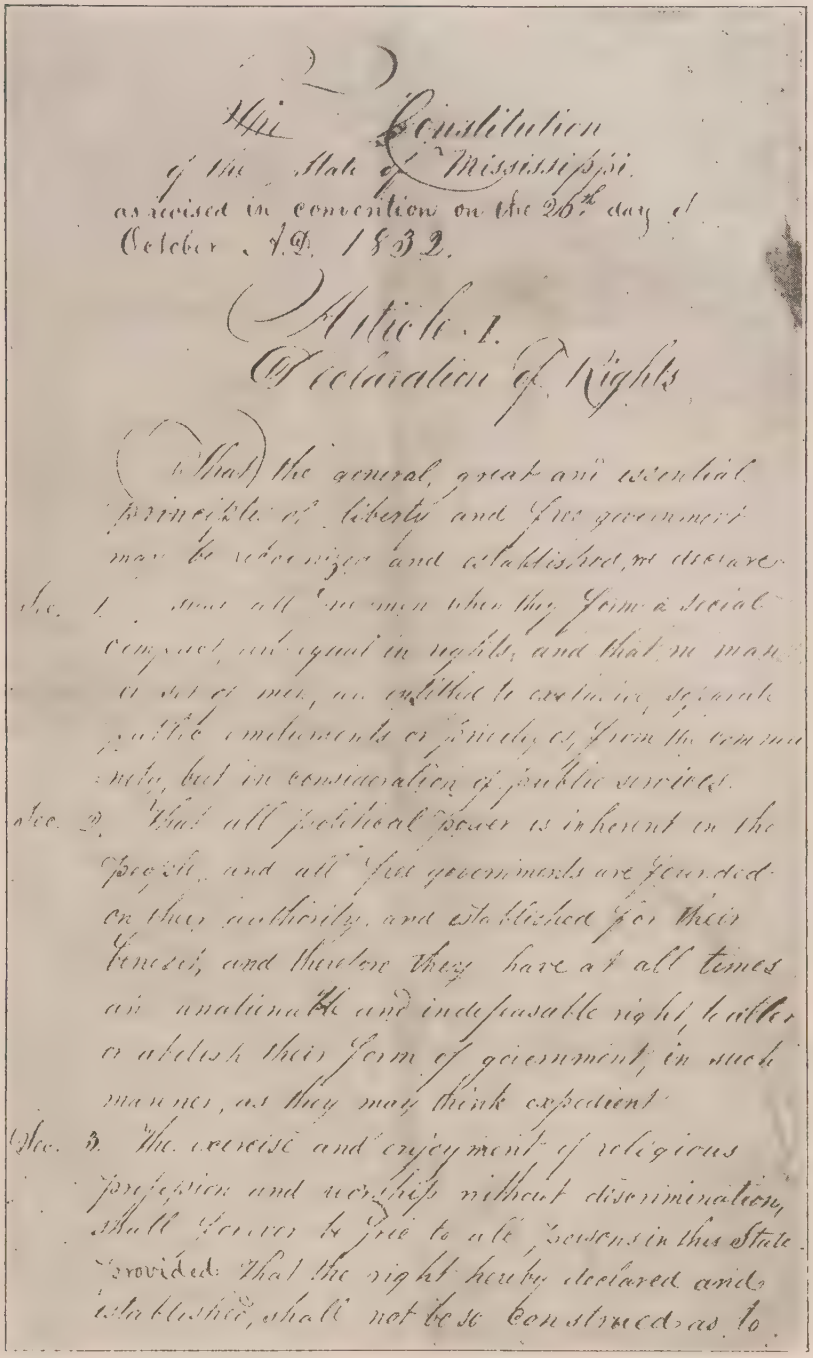
Wayne—Thomas P. Falconer.

Wilkinson—Gerard C. Brandon, Edward T. Farish and Joseph Johnson.

Yazoo—Howell W. Runnels and Richard F. Floyd.

District delegates: Yazoo and Madison—William J. Austin; Monroe, Lowndes and Rankin—Daniel W. Wright; Warren and Washington—Eugene McGee; Copiah and Jefferson—Benjamin Kennedy; Amite and Franklin—Richard A. Stewart; Lawrence, Simpson and Covington—Charles Lynch; Jones, Perry, Greene, Hancock, Jackson and Wayne—John Black; Pike and Marion—James Jones.

At 11 o'clock A. M., September 10th, Dr. David C. Dickson, of Hinds County, moved that the convention be organized, and Joseph Johnson, the delegate from Wilkinson County, was called



The Constitution
of the State of Mississippi.
as revised in convention on the 26th day of
October, A.D. 1832.

Article. 1.
Declaration of Rights

Sec. 1. That the general, great and essential principles of liberty and free government may be recognized and established, we declare that all men when they form a social compact, are equal in rights, and that no man or set of men, are entitled to exclusive, separate public emoluments or privileges, from the community, but in consideration of public services.

Sec. 2. That all political power is inherent in the people, and all free governments are founded on their authority, and established for their benefit, and therefore they have at all times an unalienable and indefeasable right, to alter or abolish their form of government, in such manner, as they may think expedient.

Sec. 3. The exercise and enjoyment of religious profession and worship without discrimination, shall forever be free to all persons in this State. Provided, That the right hereby declared and established, shall not be so construed as to

FACSIMILE OF THE FIRST PAGE OF THE MISSISSIPPI CONSTITUTION OF 1832

to the chair and John H. Mallory appointed secretary pro tem. Daniel W. Wright, the district delegate representing Monroe, Lowndes and Rankin counties, a prominent lawyer and soon to ascend the bench, submitted the resolution to elect a president of the convention. The candidates were P. Rutilius R. Pray, David Dickson, Charles Lynch, Thomas Freeland and Gerard C. Brandon. Mr. Pray was elected on the second ballot and Mr. Mallory was unanimously chosen permanent secretary. The president-elect was considered a thorough lawyer, had served in the General Assembly as a representative from Hancock County and in 1838-39, during the last two years of his life, was a judge of the High Court of Errors and Appeals.

The chairmen of the leading committees were: On the bill of rights, Nathan G. Howard, of Rankin County; executive department, Cicero Jefferson, Jefferson County; judicial department, John A. Quitman, Adams County; legislative department, Gerard C. Brandon, Wilkinson County; general provisions, James F. Trotter, Lowndes County.

After thorough discussion of proposed changes in the constitution of 1817, the following amendments of a highly democratic nature were advised: That there should be no property qualification for suffrage or public office; that "the people are capable of self-government and of electing their own officers and ought to exercise this act directly through the ballot box, in all cases where they can with advantage and convenience do so, and that whenever the people delegate this inestimable power, the reason and the necessity for so doing should be strong and imperative"; that "to preserve the principle of rotation in office and prevent office holders from becoming oppressive or unmindful of their duty as public servants," no office should be held during life or good behavior; that no person should hold more than one office at the same time; that the executive and judicial and legislative powers should be strictly separate, "to the end that it may be a government of laws and not of men; that monopolies are odious and contrary to the spirit of a free government and ought not to be suffered in any case whatever."

These proposed amendments were made on the day before the convention adjourned which was Friday morning, October 26, 1832. At that time the constitution was adopted by the convention, signed by President Pray and attested by Secretary Mallory.

In his farewell address the former said: "Though we are all liable to error in our investigations, yet some rules of action must be adopted, and in all communities or bodies of men the will of the greater number must constitute the general will, and that will, when it does not violate the great conditions of the social compact, is always politically right. It is, therefore, in the birth of societies, the chiefs of the republic form the institutions, but afterward those institutions form the chiefs. We have now formed a new constitution for the State of Mississippi; we have greatly enlarged the duties and liberties of the people; we have pushed forward the bounds of legitimate Democracy; and if experience shall fix the sanction of truth to our doctrines (which I doubt not) our labors will form a proud era in the history of Mississippi, and we may justly anticipate that, although we are among the youngest members of the Confederacy, we shall ere long be followed by those of more mature years. The operations of this constitution will form a new school of politicians. Our children who are to succeed us in the government will find themselves unshackled by the immutable laws of precedent, which have so long bound us down to earth, to follow the footsteps of anterior generations; and, commencing where we have paused, their march will be onward."

The most radical changes made in the fundamental law of Mississippi by the constitution of 1832 were those abolishing property qualifications as a right of suffrage and for eligibility to office and the election of State officers by the people for limited periods. Mississippi was the pioneer among the states in the election of judges by the people. Repeating the expression used by President Pray, at the adjournment of the convention, the constitution had "pushed forward the bounds of legitimate Democracy." In its marked expression of confidence in Democracy, the constitution had limited the appointive power of the State institutions and officials to a very small compass. The most striking exception to the fundamental reform of the State government was the power delegated to the High Court of Errors and Appeals, which had superseded the State Supreme Court, of appointing its own clerk. As the constitution abolished the office of lieutenant governor and the president of the State senate was made next in succession to the chief executive, the upper house of the legislature might be called upon to elect the acting governor; this, in fact,

was done in 1835, when John A. Quitman succeeded Governor Runnels. The choice of the governorship under such circumstances was another exception to the general rule that State officers were determined by popular vote. Another less important deviation was found in the militia system; but while the Governor could appoint staff officers and officers of volunteer companies, the generals were elected by the people of the State.

Under the constitution of 1832, a qualified elector of Mississippi was required to be a male at least twenty-one years of age, a citizen of the United States and a resident of the State one year preceding the election at which he offered to vote, as well as four months within the county, city or town. The senate and house of representatives, in which the legislative power of the State was vested, were together entitled the Legislature of the State of Mississippi. Representatives were to be elected for two years, on the first Monday and the day following in November. The qualifications for representatives were as follows: At least twenty-one years of age, and a residence in the State of two years, and in the county, city or town, one year preceding the election. The senators were to be chosen for a term of four years. The minority age was thirty years and the residence period four years in the State and one year in the district for which he should be chosen. The number of representatives was to be not less than thirty-six or more than one hundred, and the number of senators could not be less than one-fourth or more than one-third of the whole number of representatives.

Senators and representatives were exempt from arrest during the session of the legislature, and in going to and from the same, except for treason, felony or breach of the peace, and they were allowed one day for every twenty miles of distance between the meeting place of the legislature and their residences. How outsiders could be disciplined is thus set forth: "Each house may punish by imprisonment during the session any person not a member for disrespectful or disorderly behavior in its presence, or for obstructing any of its proceedings: Provided, such imprisonment shall not, at any one time, exceed forty-eight hours."

No person holding a lucrative office, either state or national, was eligible to the legislature; neither could any collector or holder of public moneys have a seat in either house until he should have paid into the treasury all sums for which he was accountable.

The constitution provided that the first election for members of the legislature should be held on the first Monday and the day following in November, 1833, and the first session of the legislature was to commence on the third Monday of that month and year. The sessions were to be biennial and the seat of government was to be the town of Jackson until the year 1850. At the first session thereafter the legislature could designate a permanent seat of government, or in default of such action, the State capital was to continue at Jackson.

The supreme body of the judicial department was known as the High Court of Errors and Appeals and was to consist of three judges. Six years covered the judicial term. Sessions of the high court were to be held twice a year until 1836 at such places as the legislature might designate, and thereafter at the seat of government. Judges of the circuit court held office for four years, each district of the State to contain not less than three nor more than twelve counties. Circuit courts were to have original jurisdiction in all matters, civil and criminal, within the State, provided the former did not involve a sum exceeding $50. A separate Superior Court of Chancery was also established, with full jurisdiction in all matters of equity, although the legislature might give to the circuit courts equity jurisdiction in civil cases where not more than $500 was involved in the controversy, in all cases of divorce and foreclosure of mortgages. The chancellor of the court was given a six year term. The clerk of the High Court of Errors and Appeals was appointed for a term of four years, but the clerks of the circuit, probate and other inferior courts were elected for terms of two years.

Each county was to elect a board of police, consisting of five members, as well as justices of the peace and constables. The State was officially represented in the judicial department by the Attorney General and district attorneys.

The chief executive power was vested in the Governor, elected for two years, who could not hold the office more than four years in any term of six years. The Secretary of State, Treasurer and Auditor of public accounts were also elected for a term of two years. It was necessary that the Governor should be at least thirty years of age, twenty years a citizen of the United States and a resident within the state of five years preceding the day of election. His pardoning and remitting power was subject to

the approval of the senate. A two-thirds vote passed a bill over the Governor's veto. The constitutional successor to the Governor was first, the president of the senate, and if the latter be disqualified for any reason, secondly, the speaker of the house. If these offices should become vacant during the recess of the senate, the Secretary of State was to call a session of the senate that a president of that body might be chosen to serve as acting governor.

Among the notable general provisions of the constitution of 1832 were those against duelling and requiring those about to take office to swear or affirm that they had not been engaged in a duel since January 1, 1833; barring from office those who denied a God and in accordance with the strict piety of the day requiring that those who held office should believe in "a future state of rewards and punishments"; requiring a two-thirds vote of the legislature to appropriate any money for internal improvement; laying down various provisions as to raising state loans, provided nothing should be construed to prevent the legislature from negotiating a further loan of $1,500,000 and investing it in stock of the Planters' Bank; limiting the minimum area of any new county to 576 square miles.

REGULATION OF SLAVES AS PROPERTY

The provisions in the constitution regarding slaves withheld from the legislature the power to "pass laws for the emancipation of slaves without the consent of their owners, unless where the slave shall have rendered to the State some distinguished service, in which case the owner shall be paid a full equivalent for the slave so emancipated. * * * They (the legislature) shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors and preventing them from becoming a public charge. They shall have full power to oblige the owners of slaves to treat them with humanity, to provide for them necessary clothing and provisions, to abstain from all injuries to them extending to life or limb, and in case of their neglect or refusal to comply with the direction of such laws, to have such slave or slaves sold for the benefit of the owner or owners."

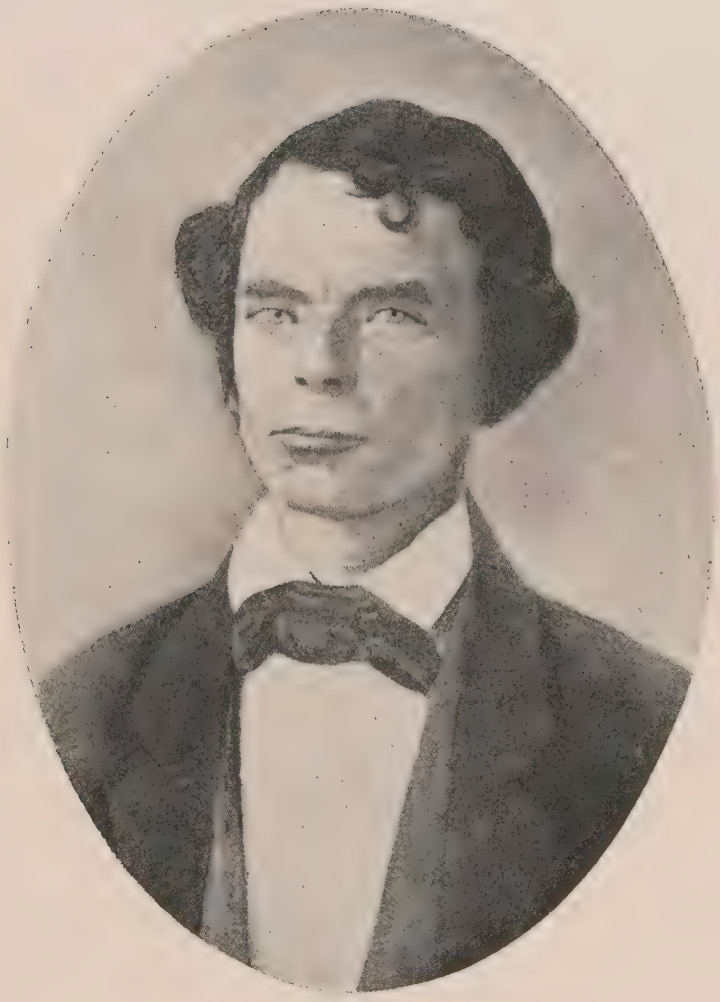
The constitution allowed immigrants, or settlers, to bring their slaves into the state, provided they were their "bona fide

property," but *did prohibit* the introduction of slaves as merchandise, or for sale, after May 1, 1833. Further, the actual settler should not import slaves from other states for individual use after 1845. In other words, a clear-cut distinction was made between the ownership of slaves designed for plantation labor and personal or family use, and those handled as property for business purposes. The United States Supreme Court declared this clause of the State constitution was not effective without an act of the legislature. As such a supplementary measure was never passed, the constitutional prohibition against the importation of slaves as merchandise was sometimes ignored. The spirit of the State constitution, however, acted as one of kindly restraint and it can never be truthfully said that Mississippi was unmindful of the welfare of her slave population. In most instances white and black had migrated together from older communities where their families had been bound together by ties of affection for generations.

The constitution furthermore stipulated that immediately after its adoption the president of the convention should issue writs of election for the first Monday and the day following in December, 1832. The members of the legislature then chosen should continue in office until the next general election. They should meet at the seat of government on the first Monday in January, 1833, and order an election for State and county officers (except members of the legislature) to be held on the first Monday in May and the day following. The officers elected in May should continue in office until the succeeding general election.

THE ELECTIONS OF 1832 AND 1833

The programme, as promulgated by the constitution, was carried out, and the legislature elected in December, 1832, convened at Jackson on the first Monday in January (9th) 1833. Charles Lynch, representing Simpson and Lawrence counties and the leader of Jacksonian Democracy in the senate, was elected president of the upper house and David Dickson, secretary. There was a brisk contest for the speakership of the house of representatives, the four candidates for the honor being Adam L. Bingaman of Adams County, David Pemble of Amite County, Joseph Dunbar of Jefferson and Aloysius M. Keegan of Lawrence. On the fifteenth ballot Mr. Pemble was elected.



DR. JOHN W. MONETTE
Mississippi Historian

The members of the senate in the legislature of January, 1833, were: David Ford, Madison and Yazoo counties; Adam Gordon, Claiborne County; John I. Guion, Washington and Warren counties; Buckner Harris, Jefferson and Copiah counties; George Higgason, Monroe, Rankin and Lowndes counties; William Jackson, Franklin County; Charles Lynch, Covington, Simpson and Lawrence counties; John McLeod, Perry, Jones, Wayne, Jackson, Hancock and Greene counties; Jacob B. Morgan, Hinds county; Thomas H. Prosser, Wilkinson County; Archibald Smith, Amite and Franklin counties; Fountain Winston, Adams County.

The house of representatives comprised the following members: Adams County—Adam L. Bingaman, William Vannerson; Amite—David Pemble, William Vannorman; Claiborne—John A. Barnes, Benjamin F. Stockton; Copiah—Barnabas Allen, John Beasley; Covington—Elam S. Regan; Franklin—Oron Shurtleff; Greene—David McRae; Hancock—Burwell B. Brewer; Hinds—William C. Demoss, Alexander Morrison; Jones—Samuel Ellis; Jackson—John McDonald; Jefferson—Philip Dickson, Joseph Dunbar; Lawrence—Aloysius M. Keegan; Marion—Charles D. Learned; Lowndes—Tilghman M. Tucker; Madison—Andrew E. Beatie; Monroe—John Bell; Perry—Abner Carter; Simpson—James Powell; Pike—Jesse Harper, William G. Martin; Rankin—Nathan G. Howard; Warren—William Vick; Wilkinson—Gordon G. Boyd, Francis R. Richardson; Washington—Robert P. Shelby; Wayne—John A. Edwards; Yazoo—David Vance, James C. Bole.

CONCLUSION OF GOVERNOR SCOTT'S ADMINISTRATION

In his address to this legislature, the first elected under the constitution of 1832, Governor Scott evinced a buoyant confidence in the constitution and the general status of the still youthful State, as witness: "Representing a youthful and enterprising State which, with a fearlessness of consequences and in a spirit of reform, characteristic of the age in which we live; throwing aside many of the received doctrines of the existing school of politics, and advancing boldly upon the field of experiment in the organization of its government, has pushed to its utmost verge the doctrine of popular rights, your duties will be equally delicate, difficult and important. * * * Whatever differences of opinion may exist in relation to the expediency of the novel doctrines

infused into the fundamental law of Mississippi, in your patriotism I have the best assurance, and in your wisdom the surest guarantee that that efficiency and direction which is best calculated to advance the glory and prosperity of our country, will be given to it."

Referring, in his message, to the obnoxious tariff, the Governor said that, notwithstanding the protests of the South, congress had persisted "in this most unjust and oppressive system until one of the States affording the purest patriots and most talented statesmen (South Carolina) had been induced to believe that no relief was to be expected and had entered upon a course which seemed to threaten the dissolution of the Union." He hoped congress would modify the law. As to the Indians, Governor Scott said: "The rapid emigration of the Choctaws to their homes in the West will in a very limited time leave us in undivided possession of the territory acquired by contract from them by the general government."

The outlook upon the finances of the State appeared brighter to the eyes of those who looked out upon the year 1832. During the period of more than a year from November, 1831 to January, 1833, the receipts from the public revenues had been $106,111 and exceeded the expenditures by $15,000. As northern and eastern capitalists were buying the State bonds, which guaranteed additional stock in the Planters' Bank and the expansion of its currency, the legislature authorized the sale of more bonds to the extent of $1,500,000. The new issue bore six per cent interest, was redeemable in thirty-three years and sold at more than thirteen per cent above par. The issue was thought generally to be necessary, as President Jackson had vetoed the act rechartering the United States bank, a branch of which had been established at Natchez in 1831. The war in congress between the president and the majority of that body over the removal of the public deposits from the United States bank was raging when the legislature of 1833 assembled. Jackson had his way, as was customary, and placed a secretary of the treasury in his cabinet who would do his bidding, which was to withdraw the government funds from a depository which he insisted was unsafe. On this issue, largely, he had been reelected President. His vote in Mississippi had been overwhelming, Henry Clay, the Whig candi-

date and champion of the bank, receiving only 791 votes to 6,110 cast for Jackson.

But the great intensity of public sentiment and discussion centered in the problems of the tariff and nullification, which bore to one another twin relationships. In the legislature, as in State politics generally, the affray revolved around the person of Poindexter, the United States senator and champion of John C. Calhoun. In the State senate the opposition to the nullifiers, Calhoun and Poindexter, was led by Charles Lynch, its president. In the lower house of the legislature, appeared an even more able Jacksonian leader and opponent of Calhoun, Adam L. Bingaman, the foremost Whig leader in Mississippi. Although he lost the contest for the speakership, he was the most prominent figure of this memorable session, and finally as chairman of the committee on memorials reported the resolutions in opposition to the doctrine of nullification. In the following December he was elected speaker. Although Mr. Bingaman was a native of the old Natchez District, of a distinguished Mississippi family, educated at Harvard, highly gifted, of a fine personal presence, and a strong leader in State politics, he fell slightly short of national prominence, except as the most influential opponent of Calhoun and Poindexter in Mississippi.

LAST INDIAN LANDS CEDED TO STATE

The Treaty of Pontotoc Creek by which the Chickasaws ceded all their lands east of the Mississippi, put an end to Indian ownership of lands in the State. It was made on October 20, 1832, at the tribal council house on Pontotoc Creek, in the southeastern part of the county of that name, between the Chickasaw nation in general council assembled and Gen. John Coffee, of Tennessee, United States commissioner. The Chickasaws agreed to accept a new home west of the Mississippi as soon as possible, in the meantime living on specified Mississippi reservations. In payment for the cession the United States agreed to pay over to the nation all the money arising from the sale of its lands, after deducting therefrom the cost of selling the same.

The total area embraced in the Chickasaw cession of 1832 was 6,283,804 acres. Since the United States agreed to turn over to the Indians the net proceeds of the sale, and no provision was made for the reservation of the 16th section in each township

for the use of the common schools, this whole region of country was deprived of the customary revenues derived from this source. To remedy this defect, several years afterward congress granted the state, in lieu of such reservation, one thirty-sixth part of the ceded lands. This grant formed the basis of what is known as the Chickasaw School fund. Although the general sentiment in Mississippi was opposed to nullification it was unanimously supported by the Whigs; the latter were also supporters of the United States Bank and had fought Jackson on that issue. They were therefore divided in their allegiance to the President.

The removal of the government funds from the vaults of the Bank of the United States and their distribution among the State banks was followed by inflation of the currency and reckless speculation. In no state of the Union were the results more disastrous than in Mississippi. Not only did it receive its quota of funds from the defunct federal depository, but the circulation of the Planters' Bank was expanded, and in April, 1833, the legislature chartered the Agricultural Bank.

GOVERNOR SCOTT'S DEATH FROM CHOLERA

In 1830 a terrible epidemic of cholera appeared in Europe and two years later had spread to the North Atlantic seaboard. The disease then swept down the Ohio and Mississippi valleys and by the spring of 1833 had reached Natchez. On the Mississippi, the city was exposed to every curse and blessing that transportation brings from the crowded parts of the world. The interior towns were next attacked and by early summer of the year many in Jackson and throughout the State had fled from the plague. Governor Scott, with his customary faithfulness to his official trusts, had remained at the capital to transact the public business. He was taken with the disease during the evening of June 12, 1833, and so severe was the attack that he died at 11 o'clock that night. The *State Rights Banner*, of Jackson, in announcing his death, said that he was "one of the best men and the most devoted public servants. He fell a victim to his sense of public duty; for nothing but the pressure and importance of official business has kept him in his place since the cholera made its appearance."

CHANGES OF ADMINISTRATION

In May, 1833, the month before Governor Scott's death, the first election was held, under the State constitution, for State

GOVERNOR HIRAM G. RUNNELS
From an oil portrait in the Mississippi Hall of Fame

and county officers. The contest was again close between Hiram G. Runnels and Governor Scott. Mr. Runnels was elected by a majority of only 558, while in 1831 Scott went into office by a plurality of 247 over Runnels.

Governor Runnels did not assume office until the regular meeting of the legislature on the third Monday, November 20, 1833. Between the death of Governor Scott on the 12th of June and the latter date, the acting governor was Charles Lynch, president of the senate.

FIRST YEAR OF THE RUNNELS ADMINISTRATION

The outstanding political and legislative events of 1833 in Mississippi were the division of the New Choctaw Purchase into counties and the beginning of the steps which resulted in the erection of the second State House.

The first act looking to the new State House was that of February 26, 1833, during the administration of Governor Scott, which appropriated $95,000 for the erection of a capital and suitable offices for the Secretary of State, State Treasurer, Auditor of Public Accounts and Attorney General, and $10,000 for a governor's residence. The Governor was authorized to appoint an architect to plan the buildings and superintend their erection. It was specified that "the foundations of said capitol building, if to be procured, shall be of stone, the timbers of cypress, with the exception of the floors and scantling, the walls to be of brick and to be covered with fire-proof materials." The price of the new State House was to be $75,000; balance of the appropriation to form a contingent fund for incidental expenses. But as there were no funds in the State treasury available for the erection of a new capitol building, an amendatory act was passed on December 25th following to this effect: "The Governor is hereby authorized to have the notes taken for the purchase money of the town lots in Jackson discounted to the amount of $70,000 by any of the banks in this State; and that the amount thus raised shall be applied, at his discretion, to the erection of the State House in said town."

In December, 1833, the legislature also adopted the plan prepared by John Lawrence, the architect appointed by Governor Scott, but as the notes received from purchasers of the town lots were not considered negotiable by the banks the Governor gave

his individual note for $10,000 with the sale notes as collateral so that the work could begin.

The act of December 23, 1833, by which sixteen new counties were added to the forty then in existence, was entitled an "act to organize the counties laid off in part of the territory acquired by the United States from the Choctaw tribe of Indians at the treaty of Dancing Rabbit Creek." By that measure were created the counties of Noxubee, Kemper, Lauderdale, Clarke, Oktibbeha, Winston, Choctaw, Tallahatchie, Yalobusha, Carroll, Jasper, Neshoba, Smith, Scott, Leake and Attala. In the apportionment made two days after the sixteen counties were created the State was allowed twenty senators and sixty-four representatives. Thus no provision was made for a representation of the new counties in the legislature.

CONTEST OVER THE UNITED STATES SENATORSHIP

As Poindexter's term in the United States senate was to expire on March 4, 1835, and the talented high strung and somewhat obstinate Mississippian had made many enemies by his bitter hostility toward Jackson and his policies, the agitation as to his successor was intense and prolonged. Governor Runnels was an earnest admirer and a consistent supporter of the President, and therefore threw the weight of his administration against Calhoun, Poindexter and their following. Gen. Thomas Hinds was unequivocally opposed to nullification, and the Democratic State convention, over which he presided in June, 1834, unanimously resolved that "a constitutional right of secession from the Union on the part of a single state, as asserted by the nullification leaders of South Carolina, is utterly unsanctioned by the constitution, which was framed to establish, not to destroy the Union." The legislature itself passed a resolution pledging President Jackson the support of Mississippi.

Early in the campaign Robert J. Walker, a young lawyer of Natchez, who had already come into notice as a Jacksonian Democrat in Pennsylvania, became even more prominent as a champion of the President in Mississippi. His powerful attack on Poindexter induced Henry S. Foote, of the *Mississippian*, also a member of the legal profession, to propose to Walker that he wage a campaign for the United States senatorship against the veteran incumbent of the office. The two then thoroughly canvassed the

State as avowed opponents of Poindexter. General Hinds had been urged to run for the senatorship, but declined the use of his name and supported Walker. The third candidate in the field was Franklin E. Plummer, a popular politician, who had been repeatedly sent to the legislature and had served two terms in congress.

The election in the legislature for United States senator at the extra session in January, 1835, hinged on the sixteen representatives from the new counties. The Governor had seen that they should be elected, and the house admitted them, but the senate refused to recognize them on the constitutional ground that should that be done the number of senators would be less than one-fourth that of the house of representatives; which would be repugnant to the constitution. The house thereupon ordered the doorkeeper to make the doors and windows fast and deposit the keys with the Secretary of State. On January 31, 1835, Governor Runnels proclaimed that the best interests of the State required the adjournment of both houses. Thus the reelection of Poindexter was defeated, and the decision postponed until a new legislature could be elected in the fall of 1835.

FORMER CHOCTAW CHIEF, CARROLL COUNTY REPRESENTATIVE

One of the representatives refused recognition in 1835 was the famous Greenwood LeFlore, who, five years before, had been elected chief of the Choctaw nation. LeFlore was then about thirty-five years of age. His birthplace was at the site of Jackson (Le Fleur's Bluff) and he was the son of a French trader and an Indian maiden, Rebecca Cravatt. When he was a boy his father moved to a locality on the Natchez trail at what is now French Camp, Choctaw County, and opened a tavern. Major John Donly, the mail carrier between Nashville and Natchez, became attached to young LeFlore and brought him to Nashville. There Greenwood received some education, married Major Donly's daughter, returned to his Mississippi home and became a citizen of the United States under the Washington treaty of 1825. In the following year he was elected one of the chiefs of the Choctaw nation, and in March, 1830, was made the head chieftain of the nation.

In that position, LeFlore was prominent in the treaty of the

following month, at Dancing Rabbit Creek, and is credited with having saved that conference from failure. He was suspected by some of the Indians of disloyalty to the race, but others had faith in his integrity. As stated, he was elected to the lower house of the 1835 legislature, although not recognized. From 1840 to 1844 he represented in a creditable manner Carroll and Tallahatchie counties in the State senate. Afterwards he became wealthy and resided in a fine mansion which he called "Malmaison," a few miles east of Greenwood. Not only was the town named in honor of the last of the Choctaw chiefs—who in addition became a prosperous and substantial American citizen—but also the county of LeFlore itself, of which Greenwood is the seat of justice.

POINDEXTER'S DECLINE—WALKER'S ASCENT

The campaign of 1835 was continued over the issues represented by Jackson and Poindexter. The practical manager of the Jacksonians, or Democrats, was William M. Gwin, United States marshal, and the oratorical representatives, Robert J. Walker and Henry S. Foote. Adam L. Bingaman was the best known of the Whig leaders, although S. S. Prentiss, who had commenced his law practice with Mr. Walker, was looming as one of the prominent Whigs of the South. Charles Lynch was the Whig candidate for Governor in opposition to the Democratic incumbent. As the position of both Whigs and Jacksonian Democrats on the absorbing issue of nullification was substantially in accord, the vote for Lynch and Runnels was quite evenly divided. Lynch received a vote of 9,867 and Governor Runnels, 9,441.

When the legislature assembled in January, 1836, the sixteen counties created in December, 1833, were all represented in the joint body which was to elect a United States senator. On the first ballot, Robert J. Walker received 36 votes; George Poindexter, 23, and Franklin E. Plummer, 18. On the fifth ballot Walker was elected by a vote of 44, his term of six years to date from March 4, 1835. This campaign and election marked the virtual close of Poindexter's public career and the commencement of Walker's steady rise to national fame.

JOHN A. QUITMAN ACTING GOVERNOR

As Governor Runnels' administration had commenced on November 20, 1833, and the legislature of the preceding January-March session had fixed the date for the assembling of the future legislatures as the first Monday in January, the chief executive concluded his term on November 20, 1835. As a new legislature had been elected, under the constitution General David C. Dickson, Secretary of State, called a special session of that body, which, on December 3, 1835, elected John A. Quitman president. He therefore became acting Governor and so continued until January 7, 1836.

Governor Quitman was one of the most remarkable men in the State, and his active participation in the life about him and the public affairs of the day made him as popular with certain classes as did his intellectual abilities with others. He was an able lawyer and an astute politician. At first independent in politics, he defeated Adam L. Bingaman by his personal popularity and was soon afterward elected chancellor of the State, being at the time only thirty years of age. In 1831-32 he declared himself for State sovereignty and joined the Calhoun-Poindexter combination in Mississippi. As a delegate to the constitutional convention of 1832 he framed the sections of the organic law relating to the judiciary and served as chancellor of the superior court of chancery from 1828 to 1835. There was no difference of opinion as to the value of his judicial services. His selection as president of the senate and acting Governor was a remarkable tribute to his personal and official popularity, as his pronounced stand on nullification was at the time in opposition to the prevailing sentiment of the State.

In his message to the legislature of January, 1836, Governor Quitman dwelt more largely and intensely on national than on State topics, centralism, Federal relations and slavery absorbing much of his address. He further declared that the five per cent fund from the sales of public lands granted to Mississippi by the United States was not a gift or donation. He even suggested a doubt if congress had any right to impose conditions regarding the public lands when the State was admitted to the Union. In regard to the omission in the Chickasaw treaty to reserve the school sections he advised that the State declare the

contract with the United States violated, and levy taxes on the land in disregard of the agreement that new settlers should have five years of grace. The Governor urged the encouragement of railroads and of industries and, before all, the establishment of common schools. On the last named subject he commented thus:

"In monarchical governments the heir to the throne is educated at the public expense. Why should not the same care be taken in republics to communicate at least the elements of knowledge to those who are to become the rulers of their destinies. The means of a plain practical education should be extended to every free child in the country, cost what it may. I recommend to the legislature the adoption, as early as possible, of an effective common school system. Until the establishment of a general system of common school education, it would be but vain ostentation in the State to build up seminaries for instruction in the higher branches of learning."

At the conclusion of his term as acting Governor and the inauguration of Governor Lynch on January 7, 1836, Quitman declined appointment to the supreme court and plunged into numerous enterprises identified with the State and its people. He was giving special attention to the promotion of the railroad from Natchez to Jackson, and was also president of the State Rights Association, of the Anti-Abolition Society, of the Mississippi Cotton Company and the Anti-Duelling Society; director of the Planters' Bank, grand master mason, captain of the Natchez Fencibles and trustee of Jefferson College and the Natchez Academy. Besides, with 150 negroes he superintended a cotton and sugar plantation.

LYNCH'S ADMINISTRATION

Charles Lynch was inaugurated Governor of Mississippi on January 7, 1836, with more elaborate ceremonies than usual, the social life of the capital city as well as that of every large city in the State having reached a point that compared favorably with that of society elsewhere. However it must be remembered that the social life of the towns and cities of that day was largely made up of the rich planter folk living in the surrounding country.

The Governor's address was read by Adam L. Bingaman, the

leader of the Mississippi Whigs, who with the verve and courage of the day had thrown his strong influence for him, as against Runnels, the caucus nominee of the Democratic party. A point strongly emphasized in the message was the distinction between State sovereignty and popular sovereignty. Governor Lynch's predecessor, Quitman, was an advocate of pure State sovereignty, but Governor Lynch himself held:

"Our government was the first and, as yet, is the only one fairly and fully bottomed on the sovereignty of the people. As a nation we have experienced a degree of prosperity and happiness far beyond the enjoyment of any other government, nor is there a people on earth upon whom the preservation of liberty and the universal welfare impose such dread obligation. The eyes of the friends of liberty from every quarter of the globe are turned upon us with intense interest."

One of the first noteworthy acts to be passed by the legislature of 1836 was that of February 9th, by which the Chickasaw cession resulting from the treaty of Pontotoc (1832) was divided into the counties of Tishomingo, Itawamba, Tippah, Pontotoc, Chickasaw, Marshall, Lafayette, De Soto, Panola, Tunica, Coahoma and Bolivar, and which more clearly defined the boundaries of Monroe. By act of February 24, 1836, the line between Jackson and Hancock counties was defined and on the following day Newton County was taken from the lower, or southern portion of Neshoba County. The latter was one of the counties of the Choctaw cession created in 1833.

Governor Lynch refused to issue writs of election to the twelve new counties in 1836, but his refusal was ignored by the county boards, or boards of police as they were constitutionally known, which called elections for the choice of the representatives.

Provision was made for the establishment of a State penitentiary by act of February 26, 1836, and $75,000 appropriated for that object. The site of the institution was to be within two miles of Jackson, in Hinds County, on a site to be selected and purchased by commissioners chosen by the legislature; the site was to be not less than four or more than ten acres of ground. The inmates of the penitentiary were to be persons convicted of offences punishable by imprisonment and hard labor, and the convicts were to be employed in the erection of the plant.

MISSISSIPPIANS IN THE TEXAS REVOLUTION

Although the United States abandoned all claim to territory beyond the Sabine after the treaty made with Spain in 1819 and the Mexican republic was proclaimed in 1824, the Americans who settled in the old Texas province of Mexico and the later, republic, were in a continual state of turmoil, dissatisfaction and incipient or actual rebellion against both Spanish and Mexican rule. With the coming of Colonel Moses Austin and his associates the active revolution began. Santa Ana, as dictator and president, restored peace intermittently, but as it became apparent to the American colonizers that they could never be subject to a man of his character they organized their forces under Colonel Austin and Sam Houston and prepared to rebel all along the line. The latter, who first came into prominence as a young officer under Jackson in the Mississippi Territory during the Creek War, had been a Tennessee congressman and Governor, to suddenly abandon all his domestic ties and public connections, for preferment among the Cherokee Indians. After a short rule he left a chieftainship of this superior tribe of red men for adventures in the far southwest—adding another to the list of riddles that have accumulated in American history. After the capture of San Antonio in December, 1835, many companies of soldiers commenced to arrive from the Southern states, but the Mexican troops were not decisively defeated until the Americans had placed themselves under Sam Houston as commander-in-chief. At San Jacinto River, which empties into an arm of Galveston Bay, he fought the battle with Santa Ana which secured the independence of Texas; the date was April 21, 1836. It is said that the battle cry of the Texans had been "Remember the Alamo!"—a small prairie fort where a little force of Americans had resisted an overwhelming Mexican command and, after being cut down to half a dozen men, had surrendered and been brutally massacred.

The news of the Alamo massacre and the capture of San Antonio of a previous date was received at Natchez with mingled grief and joy, which were transformed into a determination to move against Santa Ana. That sentiment was expressed in a meeting held in March, at which Capt. John A. Quitman presided and Gen. Felix Houston, of Natchez, brother of Sam Houston, was secretary. About $2,000 was soon subscribed for volun-

teers. Recruits were instructed in the newspapers to be cautious about their expressions, in order to avoid arrest for violating the neutrality laws. The following reference to the spontaneous outbursts of patriotism in Mississippi is taken from the *Encyclopedia of Mississippi History:*

"Quitman, who had been chancellor, president of the senate and acting Governor of Mississippi, led the first company that sailed April 5th, about forty men, including fifteen of the Fencibles, the famous military and social organization of which he was the head. Houston waited to organize a larger force from all parts of the State, and made arrangements with leaders in Louisiana and Arkansas to rendezvous in May. The eleventh reunion of the Natchez Fencibles and Vicksburg Volunteers that April was brilliant with excitement. Their mottoes 'Try Us' and 'Always Ready' were cheered to the echo by the assemblage of the gallant men and beautiful women of the two cities. The news soon arrived of the rout and capture of Santa Ana. General Thomas J. Green, formerly a citizen of Mississippi, visited the State in March, holding meetings to enlist volunteers and raise funds to support the revolution. Military commissions were distributed by him, among those thus honored being Benjamin W. Edwards. Henderson, a young lawyer from North Carolina, was one of the most enthusiastic volunteers and became a prominent official of the new republic. Houston and the brilliant Mississippian Foote offered to join with Green in becoming responsible for a loan of $200,000 at New Orleans. Quitman with his men reached San Antonio in time to see and talk with Santa Ana before returning to Natchez in May.

"In the meantime Texas had declared her independence. Richard Ellis was president of the convention and David G. Burnet was elected president of the republic. Senator Robert J. Walker, of Mississippi, introduced the resolution in the United States senate recognizing the independence of Texas, passed January 18, 1837."

EXTRA LEGISLATIVE SESSION OF JANUARY, 1837

The constitution provided for biennial sessions, but the legislature met in extra session during January, 1837, and the matter of receiving the representatives from the new counties was at once placed under discussion. In the house the champion for

their admission was Adam L. Bingaman. He was eloquently opposed by S. S. Prentiss of Vicksburg, the young lawyer then rapidly rising in fame. In the senate Judge George Winchester, of Natchez, led the opposition. Notwithstanding, the claimants to seats were admitted, and, contrary to the advice of Governor Lynch, no new apportionment was made. "Winchester and five other senators, and nineteen representatives led by Prentiss, issued an address to the people declaring that the seating of representatives was an act of revolution and anarchy and contempt of the constitution. A protest was also spread on the journal of the house, asserting that the proceeding had disorganized the house and made its acts of no legal authority."

At this extra session—on January 21st, the last day—the legislature chartered a new bank, the Mississippi Union, and incorporated another railroad company, which proposed to build a line from New Orleans to Nashville, the route through Mississippi being west of the Pearl River. As such a line would avoid the Mississippi River towns, these, especially Natchez, were strongly opposed to the enterprise.

THE CRASH OF 1837

During the year 1836 there was great activity in the sale of lands opened up by the Choctaw and Chickasaw cessions, and the division of that vast territory into counties. The State had issued bonds, which had been readily sold in the East, and made the basis for a further expansion of currency. Railroads had been incorporated with banking privileges, and instead of building transportation lines had given their main attention to issuing more notes. The State was crowded with land speculators and the active circulation of the currency, fictitiously based on specie, was of advantage to them and not to the planters or business men. The bond buyers of the East became cautious and nervous, especially when Jackson pressed his policy of a return to specie payments and, as a preliminary step, instructed the United States land office to demand coin in payment for land. The circular to that effect was issued from Washington in December, 1836. In the midst of this uncertainty and confusion, James H. Mallory, the State Auditor, reported that it was impossible to collect many of the notes given by the purchasers of seminary lands. "The payment of the whole of the notes is secured by the most respon-

sible sureties," he added, "yet many of the notes have not been paid. Believing that the defalcation of the purchasers has been caused by the late fall of the price of cotton, I would respectfully recommend that the legislature extend to them an indulgence of another year."

Governor Lynch was evidently in a quandary as to the proper course to pursue to avoid the threatened contraction of the currency, caused both by the national policy and local or State conditions. It is said that "with some hesitation he advised the incorporation of the Union Bank, involving an enormous increase in the debt of the State, and suggested the sale of bonds in Europe because New York capitalists were becoming cautious."

By March, 1837, the financial situation became so threatening in Mississippi that the Governor summoned a special session of the legislature to meet on April 7th. The reasons for the call were given:

"Whereas, I have received information within the last few days from various parts of the State indicating, in a serious point of view, the pecuniary embarrassment of the community, growing out of the unparalleled pressure of the times which precludes the usual moneyed facilities. And, whereas, a combination of circumstances calls for and renders necessary the convocation of the legislature, with a view of averting as far as may be, by the suitable and speedy action of that body, the impending ruin that seems to threaten a large portion of our citizens."

In the House of Representatives when it assembled on April 7, 1837, were the presidents of the State banks and Gen. M. Hunt, "minister plenipotentiary and envoy extraordinary from the republic of Texas." The bankers were to consult with the legislature as to measures of financial relief. In his message to that body, the Governor suggested the issue of post notes running thirteen months, which were to be accepted for public dues. He laid the bad financial situation in Mississippi to the fact that its planters and others had been charged exorbitant rates of interest for loans made to them by New Orleans commission houses, and that by the late extensive failures of those houses that credit had even been cut off. The New Orleans failures had also seriously affected the Mississippi banks which were compelled to suddenly restrict their credit to planters.

An act authorizing the issue of post notes was passed May 11,

1837. They were to be not under $20, to run from six to thirteen months, and be receivable for public dues—in other words, have the full value of money in the State. On the following day the measure was passed for the creation of three commissioners authorized to visit the banks and report their condition. In April and May the legislature incorporated banks at Holly Springs, Vicksburg, Grenada, Port Gibson and Lexington, as well as the Hernando Railroad and Banking Company and the Vicksburg Water Works and Banking Company. Felix H. Walker, of De Soto County, proposed that the State issue $20,000,000 in treasury notes, secured by real estate, and James Phillips, of Hinds, offering a resolution proposing a branch of the United States Bank of Philadelphia as the speediest way to obtain a circulating medium "equal to gold and silver." But before any of these reliefs could be put in operation and even before the adjournment of the legislature, came the great financial crash of May, 1837, and the general suspension of specie payments throughout the country.

The Planters' and Agricultural banks of Mississippi were the first in the United States to suspend specie payments, and the only ones in the State that refused inspection by the commissioners. Governor Lynch therefore advised that they be compelled to resume specie payments or forfeit their charters. Finally, these banks, as well as the Commercial of Natchez, announced that they would resume in January, 1839.

THE ELECTIONS OF 1837-38

There were two exciting elections in Mississippi during 1837 and 1838, those for congressmen covering portions of both years. In the fall campaign for State officers, four candidates for Governor were at first in the field. Alexander G. McNutt and Major Benjamin W. Edwards were Democrats, the former conducting his campaign especially as an opponent of undue bank privileges. The Whig candidates were Col. John A. Grimball and Dr. Jacob B. Morgan. Before the conclusion of the canvass, Major Edwards died. He was a soldier in the War of 1812, had a rather romantic career in connection with the early days of the Mexican republic and had lived about ten years in the State when he was a candidate for Governor. Major Edwards was popular and undoubtedly would have carried a fair vote. To his death may largely be attributed the election of McNutt.

The vote on the governorship was as follows: McNutt, 12,936; Morgan, 9,896; Grimball, 4,947. The governor-elect, an eccentric but forceful character, was a Virginian who, about a dozen years before he became chief executive, had settled at Vicksburg to practice law. He afterward assumed the occupation of a planter, partly by purchase and partly by marrying the widow of his partner. Although careless in manners and addicted to intemperance, his intellectual ability and his profuse and vaporous promises of local reform brought him for a while many admirers and supporters. However there was about him a certain swagger and bluster and insincerity of purpose that could not escape the Mississippians of that day, who were generally of the open, candid mind that refused to be long satisfied with the cant and jargon of the demagogue. McNutt did not remain a favorite in the public affairs of a State where such sincere and sensitive souls as Samuel J. Gholson, J. F. H. Claiborne, Seargent S. Prentiss and William L. Sharkey were in the ascendancy and the people generally of a frank and ingenious character in keeping with the pioneer period, though his influence with the ignorant element of the State was for a time widespread.

THE CHOCTAWS AND CHICKASAWS IN 1837

In January, 1837, after the Chickasaws had ceded their reservations east of the Mississippi to the State, and selected their western lands on the Arkansas, they entered into an agreement with the Choctaws. The latter had already established their nation permanently in the Indian Territory west of the Mississippi, and allowed the Chickasaws to form a district within their reservation. The Chickasaws were to manage their own funds and be represented in the general council. As a consideration for these privileges they agreed to pay the Choctaws $530,000; $30,000 when the Choctaw annuity of 1837 should be paid and the balance of $500,000 to be vested in some safe stock, redeemable in not less than twenty years. In 1837 the number of the Choctaws was estimated at 18,500 and of the Chickasaws, at 5,500.

A few of the Choctaws continued to occupy their reservation lands in Mississippi. The war department estimated that about 750 heads of families remained in the State, more than 15,000 Indians of that nation having migrated westward by 1837. Descendants of these families are still in the State.

The social life of the State, though many pioneer customs still prevailed, was progressing along the same lines that characterized that of Virginia, the Carolinas and Georgia, since the Anglo-Saxon even in the old Natchez District had almost effaced the scant French and Spanish population left over of the colonial period of these two nations. Relative to social conditions in the State between 1838 and 1860, the following extract from Mrs. Rowland's *History of Hinds County* reflects very near that of the entire State:

"The social history of the county during the period preceding the Civil War was one of constant growth and expansion along many lines.

"The religious life of the county was, if anything, more marked and characteristic than any other feature of its social progress. Though nearly all of the Virginia settlers were communicants of the Church of England, the difficult service of the Episcopal Church prevented that church from spreading and the simpler rituals of the Methodist and Baptist churches were best suited for the use of a pioneer people of varied religious creeds. However, both the Episcopal and Presbyterian churches entered the county early and established themselves, though in a small way, securely, wherever they appeared.

"While the better class of people, especially the slaveholders, exhibited a manner and spirit touched with hauteur, they possessed a deep inward piety which was generally expressed with much emotionalism. Especially was this true of the uneducated; shouting caused by religious fervor and ecstasy was common to both white and black, and among the poorer whites as well as with the negroes the 'holy dance' was often indulged in. Every neighborhood had its frame church—in some instances classical in design and built of brick—where not only the monthly Sunday service was held, but where protracted meetings were carried on for a week or more, all day services, with dinner at the Church, being frequently held. During these revivals generally held in midsummer after the crops were 'laid by,' attended by both white and black, the latter occupying a gallery built in the back part of the church for their especial use, the people often gave way to religious emotions of the most remarkable nature. At the close of the revival each candidate for baptism was expected to give a faithful

account of his or her experience which often consisted of psychic discoveries, such as few spirtualists of today have experienced. The women of the South, even where they themselves maintained serenity and poise in their spiritual experiences, regarded these revelations with a reverent spirit. The men sometimes took them with a grain of salt, but as a whole were deeply impressed with the religious manifestations of the day, and the people of no section of the Union more sincerely evinced a dependence on divine Providence than the people of whom we write, nor expressed in their daily lives more reverence for the Scriptures.

"The men of Hinds County, in common with those of the entire State, early developed a genius for politics and public speaking, and rallies, with barbecues and open-air dances, were features of the social life of the county. While its women as a whole were given to the study of social and domestic questions these were not lacking in keen interest in public affairs and many were brilliant in conversation."

One characteristic of the social life of the people of this period should be especially recorded. Their respect for truth was stronger than it is today in the social structure of what is called the New South. In that period for a man or woman to be regarded as untruthful in his or her statements was sufficient to injure their social standing.

"Such was the growth of this transplanted Anglo-Saxon stock, and one versed in ethnology could easily trace its kinship to the inhabitants of the British Isles."

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"MONMOUTH," NATCHEZ
The Home of Gov. John A. Quitman

CHAPTER XVII

CONTINUED DEVELOPMENT OF THE COMMONWEALTH

GOVERNOR McNUTT'S FIRST ADMINISTRATION—TEMPORARY RELIEF THROUGH THE UNION BANK—PROPOSED FINANCIAL ALLIANCE WITH ENGLAND—STATE LIBRARY AND STATE TEACHERS' ASSOCIATION—PUBLIC BUILDINGS NEAR COMPLETION—RIGHTS OF MARRIED WOMEN—NEW UNITED STATES SENATORS AND CONGRESSMEN—FINANCES IN 1838-39—STATE AND PRESIDENTIAL ELECTIONS—THE GOVERNOR'S ATTACK ON THE UNION BANK—LINING UP THE BANKS—RAILROAD WORKS PROTECTED—OTHER EVENTS OF 1840—REPUDIATION OF UNION BANK BONDS—GOVERNOR TUCKER AND HIS ADMINISTRATION—FIRST OCCUPANT OF GOVERNOR'S MANSION—THE KILLING OF HAGAN—RETIREMENT OF GOVERNOR TUCKER—ELECTION OF GOVERNOR BROWN—THE FIRST BROWN ADMINISTRATION—PLANTERS' BANK IN LIQUIDATION—STATUTE OF LIMITATIONS PASSED—UNIVERSITY OF MISSISSIPPI LOCATED—PRESIDENTIAL CAMPAIGN OF 1844—PRENTISS, CLAY'S CHAMPION IN MISSISSIPPI—GOVERNOR BROWN'S REELECTION—PROPOSED SYSTEM OF PUBLIC SCHOOLS—STATE DIVIDED INTO CONGRESSIONAL DISTRICTS—THE MEXICAN WAR AND MISSISSIPPI POLITICS.

The decade from January, 1838, to January, 1848, was replete with action in the State of Mississippi. So varied and violent were its movements that it became evident that a great Commonwealth of complex elements and interests was in process of development on a larger scale. Educational institutions, such as the State Library, the State Teachers' Association and the University of Mississippi, were established, and charities supported by the Commonwealth, such as the Insane Hospital at Jackson, were created. The tendency of the public sentiment which resulted in the founding of institutions of this nature was generally pronounced to be in the right direction.

There was a decided division of sentiment regarding another movement which marked the period and extended far beyond it; and that was over the repudiation of the bonds issued by the State for the purchase of stock in the Planters' and Union banks. But after more than a decade of disagreements over the question, both from constitutional and moral standpoints, the people voted

that the State was not obligated to pay them by either consideration; and nearly forty years after the popular verdict had been rendered a State constitution sustained that decision among its provisions. The discussion over repudiation raged through two of the three gubernatorial administrations covered by the years 1838 to 1848.

This decade of disturbances also embraced the Mexican War with which Mississippi history is closely identified, since John A. Quitman, a former Governor of the State, advanced to a position in the conflict very near to Taylor and Scott, while Col. Jefferson Davis, who had already proved his mettle in the forensic field against Prentiss, as colonel of the Mississippi Rifles won imperishable laurels at Monterey and Beuna Vista. Both Davis and Quitman were wounded in the Mexican War and came out of it with fame and distinction attached to their names. The participation of Mississippi in the international struggle is a brilliant chapter in her history and verified her high courage and patriotism so abundantly displayed in the War of 1812 while yet a young Territory.

GOVERNOR McNUTT'S FIRST ADMINISTRATION

When Alexander G. McNutt was inaugurated Governor on January 8, 1838, the finances of the State were in an unstable and chaotic condition. The currency issued by the State banks was bulky and depreciated, and the specie for its redemption was not forthcoming. Even the surplus received from the United States treasury had not been paid into the State coffers in specie, but in the depreciated paper of the Agricultural Bank.

The Mississippi Union Bank, which had been chartered in January, 1837, was not giving the expected relief of supplying a stable currency. As president of the senate, the Governor had signed the original bill capitalizing the bank at $15,500,000 and basing its assets upon plantation and town property, including buildings and slaves. Its charter also made provision for a bonus to the State of $200,000. The instability of all properties, however, caused the cautious to hesitate before paying in the ten per cent cash on the stock required to place the bank in operation. For the ultimate payment of the stock it was planned to place mortgages on the property mentioned, and the faith of the State was also pledged. Still the stock did not move, and it was

GOVERNOR ALEXANDER GALLATIN McNUTT
From an oil portrait in the Mississippi Hall of Fame

evident that new measures were required. As the constitution required that a bill must be twice passed when the faith of the State was pledged in the creation of a debt, Governor McNutt signed the bill on its second passage, February 5, 1838. On the 15th of the month, a supplementary bill was also passed by which the State renounced the bonus and subscribed for 50,000 shares of bank stock, to be purchased by the sale of $5,000,000 of State bonds. This law made the State both a partner and a surety in the enterprise.

TEMPORARY RELIEF THROUGH THE UNION BANK

The steps by which the Union Bank temporarily relieved the financial situation in Mississippi have been described in the *Encyclopedia of Mississippi History* in a careful summary and are as follows:

"The legislature (of 1838) elected as managers of the bank Hiram G. Runnels, J. A. Grimball, J. L. Irwin, R. M. Williamson, John S. Gooch, John J. McRae, Jacob B. Morgan, G. M. Barnes, Thomas Land and James McLaren. Runnels was made president. The salary list of the bank was $50,000 a year. Two thousand five hundred State bonds, for $2,000 each, were executed in June, 1838, and delivered to the managers; $1,250,000 made payable in twelve years and $3,750,000 in twenty years, from February 5, 1838. The bonds were made payable in dollars, current money of the United States, bearing interest at the rate of five per cent. Governor McNutt said in his message of 1839 that he 'never was in favor of pledging the faith of the State for banking purposes, but inasmuch as the question had been long before the people and had twice received their sanction, I signed the charter of the Mississippi Union Bank, having no constitutional scruples.' Soon after the managers were elected he was called on to pay 2½ per cent on the State's subscription of $5,000,000, but declined. When the books were opened for subscriptions, he subscribed for 50,000 shares and subsequently executed the $5,000,000 bonds and delivered them to the managers. They were sold to Nicholas Biddle of the old United States Bank, August 18, 1838, for $5,000,000 lawful money of the United States, payable in five equal installments by July 1, 1839.

"The sale of bonds was arranged by James C. Wilkins, William M. Pinckard and Edward C. Wilkinson, who represented that

'since 1830 there had been sold to individuals within the State 11,573,712 acres of public lands, which estimated at the reduced rate of $10 per acre amounts to $115,737,120; and during the same period the increase in slave population is 98,834, estimated at $500 per slave, amounts to $49,417,100.' This was figured as an accumulation of 'individual wealth', and people were found in Europe to believe it such, and surrender cash for the bonds, through Mr. Biddle and other eminent votaries of 'high finance' at Philadelphia and New York. Before the sale of these bonds was made the bank started up at Jackson and began the issue of post notes, payable about a year later. This made it impossible for the bank to ever maintain a specie reserve. From September 27, 1838, to January 17, 1839, the bank put out by loan nearly $3,000,000 in these notes, advanced to planters on the basis of $60 to the bale, and discounted on cotton notes, $1,269,000. The largest liability of any one mercantile house was about $80,000.

"When news of the sale of the bonds reached Jackson 'the smoke of great guns filled the capital city with a pillar of cloud by day and bonfires and illuminations lighted it with a pillar of fire by night. In due course of time the $5,000,000 in specie and British gold arrived by ocean steamer at New Orleans; thence by river steamer at Vicksburg, thence by a guarded caravan of wagons to Jackson, where the central office was located on a plot of ground now occupied by E. S. Virden's store.' Crowds of people gathered to witness this golden caravan."

PROPOSED FINANCIAL ALLIANCE WITH ENGLAND

In the fall of 1838, Mississippi took the lead in a proposed alliance between the planters, merchants and bankers of the South and the manufacturing and financial interests of England. Representatives of the Mississippi banks met at Vicksburg, in November, 1838, to consider the resumption of specie payments. Its presiding officer was H. G. Runnels, head of the Union Bank. The Union Bank also called a convention in December, of that year, attended by bankers from Tennessee, Alabama, Arkansas and Mississippi. The practical result was an address, signed by the prominent banks of the convention and headed by Nathaniel A. Ware, a wealthy land owner and leading banker of Natchez. Major Ware was also the last secretary of the Mississippi Territory and a man of scientific attainments, whose name carried

weight. The address issued by the convention of December, 1838, proposed that the southern banks should make advances on cotton through their British correspondents, representatives of the English cotton manufacturers and the Bank of England.

On production of bills of lading from the planters the banks would issue post notes, which would be the currency of the country; such circulating medium being based upon the good faith of English manufacturers and the Bank of England, rather than upon any American security. A convention was subsequently called at Macon, Georgia, to further consider this scheme, which was primarily designed to cut out the profits of speculators and brokers and bring the planter into direct touch with the English cotton manufacturer and the British market. But nothing came of the movement except perhaps to call the attention of Washington to the necessity of issuing some kind of a national currency based on the good faith and security of the United States. This was already a doctrine held by the Whig party and a favorite policy urged by S. S. Prentiss.

STATE LIBRARY AND STATE TEACHERS' ASSOCIATION

The founding of these institutions during the first year of Governor McNutt's administration, was representative of the progressive spirit of the Commonwealth rather than of any particular individual influence. The people by this time were keenly desirous of marching in step with the more advanced states of the Union. The State Library act was passed February 15th, and named as trustees of the newly created institution, the Governor, judges of the High Court of Errors and Appeals, the Chancellor of the superior court, Secretary of State, Auditor of public accounts and Attorney General. To establish the library, the legislature appropriated $3,000 and $1,000 annually for its enlargement; also, $500 for contingent expenses.

The first State Teachers' Association met in the hall of representatives of the capitol building, a structure that was soon to be abandoned for the new State House then being erected. The constitution of the Association was drafted by Solomon Tift. The work of the pioneer Association was supplemented by that of various local organizations, but on account of the difficulties of travel in those days attendance was greatly handicapped. The

Association therefore became disorganized in the early '40s and was not revived for many years.

PUBLIC BUILDINGS NEAR COMPLETION

The legislature passed an act on February 9, 1838, creating a commissioner of public buildings and appointing Charles Lynch, a former Governor, to fill the position. With the architect, William Nichols, he was authorized to contract with builders and others in the construction of public edifices—the Governor's mansion and penitentiary and the completion of the new capitol building. He was also authorized to superintend their erection. The Governor had the power of removing both the commissioner and architect. The salary of the commissioner was $1,500 and of the architect, $3,000. The act which created them also appropriated $120,000 toward the further construction of the public buildings of the State. A year afterward $80,000 was appropriated toward the completion of the capitol.

A week after the passage of the act making these provisions for the substantial completion of the State House, a measure passed the legislature authorizing the Secretary of State, Auditor of public accounts and State Treasurer, as an organized board, to dispose of all the unsold lands donated by the general government for the establishment of a State capital. The proceeds of such sales were to provide a fund for public buildings. Out of the provisions of the act were to be reserved the sites of the old State House, the office of the Secretary of State, the rooms of the Superior Court of Chancery and the High Court of Errors and Appeals, and such lots as had been disposed of for churches, burying grounds and other public institutions.

After this legislation the work on the second State House, still standing on State Street at the head of Capitol, progressed so rapidly that the legislature in January, 1839, met therein, although the building was not entirely completed. Some of the material used in its construction was brought from New Orleans. The stone composing the lower corridors, porticos and facings, was taken from a quarry in Hinds County, and the large timbers and beams and much of the other woodwork came from the Mississippi forests. The brick, too, was made in the city of Jackson, thus making it what might be termed a home product.

RIGHTS OF MARRIED WOMEN

Among others of importance to society, an act of the legislature of 1839, passed on the 15th of February, was concerned in defining the rights of married women as to property acquired by them in various ways. The general statement of the law was as follows: "Any married woman may become seized or possessed of any property, real or personal, by direct bequest, demise, gift, purchase or distribution, in her own name, and as of her own property: Provided, The same does not come from her husband after coverture " (legal state of a married woman).

If a woman possessing property in slaves should marry, they would continue to be hers afterward, with their natural increase, exempt from any liability of the husband. If she should inherit, or otherwise become possessed of them after marriage, they would still be her property. The direction of their labor and the receipt of their productions should be controlled by the husband. Legal suits, either for the possession or recovery of such slaves, should be in the joint names of husband and wife. In case of the death of the wife, such slaves descended to their children, or, if there were no issues, to the husband and his heirs. The purposes of the law were succinctly stated in its title—"An act for the protection and preservation of the rights of married women."

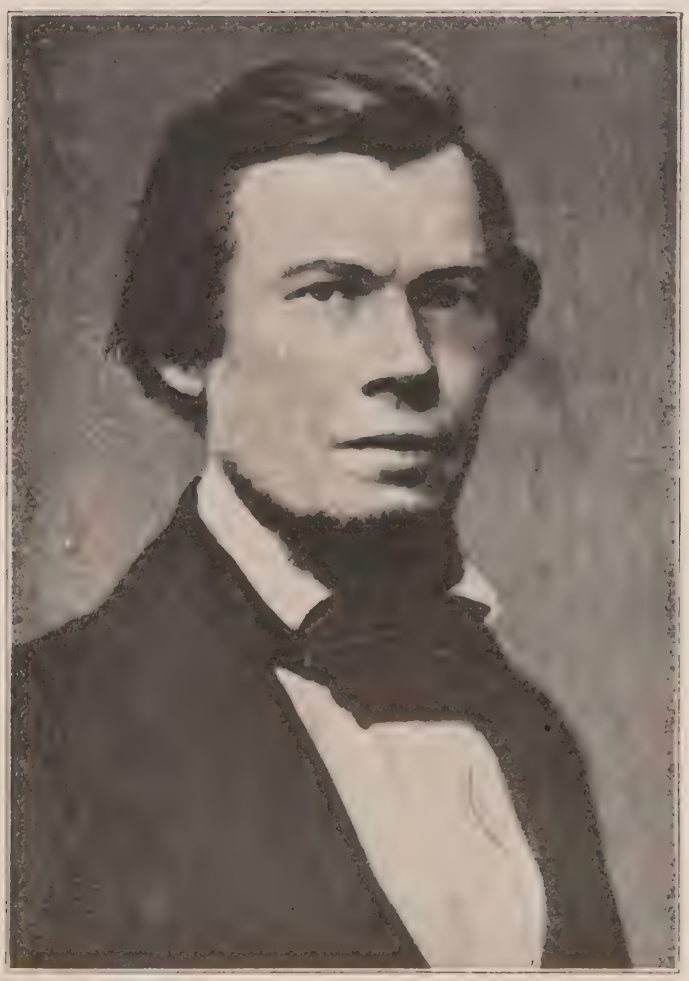
One of the first acts passed by the legislature of 1839 was the measure of February 9th "to discourage and suppress gambling—playing at cards, dice, billiards, or any other game of hazard for money or other valuable thing, or wagering or encouraging the betting of any money or other valuable thing upon any cock fight, or duel or upon the result of any election." The first offense was made punishable by a fine of from $20 to $100; and a second offense, a fine of from $100 to $500 and imprisonment of not more than ten days. The penalties were heavier for State and county officers connected with the administration and execution of justice, such as judges, the Attorney General, Sheriff, etc., who were made subject to a fine of $500 and imprisonment for twenty days or less, at judicial discretion. Betting upon horse races and shooting matches were not indictable.

On the same day that the act was passed against certain forms

of gambling, a measure was placed among the statutes authorizing a majority of two-thirds of the heads of families in a township to change the location of any sixteenth section of school lands which was found to be unhealthy, or otherwise unsuitable for school purposes. What is now known as "consolidated districts" was also authorized.

Even more important was the act of February 14, 1839, "for the benefit of education." Its text also includes a list of the leading educational institutions then in existence, among which were to be distributed court fines which had accrued or should thereafter be assessed. The favored ones were the Port Gibson Academy in Claiborne County; Fayette Academy, Jefferson County; Lexington Academy, Holmes County; Marion Academy, Lauderdale County; orphan asylum, Adams County; Oxford male and female academies and the Wyatt Academy, Lafayette County; Gallatin female Academy, Copiah County; Quitman male and female Academy, Clarke County; Newton County male and female Academy; Mount Carmel male and female Academy, Covington County; Raymond, Clinton and Cayuga female academies, Hinds County; Monticello Academy, Lawrence County; Ripley and Salem male and female academies, Tippah County; Vicksburg hospital and poor house, Warren County; Paulding Academy, Jasper County; Pontotoc female Academy, Pontotoc County; Rankin County male and female academies; university and female Academy, Marshall County; Woodville classical school, Wilkinson County; Starkville male and female academies, Oktibbeha County; Kosciusko female Academy, Attala County; Macon male and female Academy, Noxubee County; sixteenth section schools, Lowndes County; Yazoo library association, Yazoo County; Farmington female Academy, Tishomingo County; Hernando male and female Academy, De Soto County; "and in the remaining counties of the State to such academies and schools as the boards of police shall designate and order." The passage of this act marks the dissolution of the literary fund.

In view of the defalcations of public officials the legislature passed an act to provide for their punishment, the date of its enactment being February 15th. All State and county officers entrusted with the handling of the public moneys were forbidden to make false entries of their accounts, or to invest or loan such funds; otherwise, such acts made them liable to the crime of em-



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bezzlement, which was punishable by imprisonment in the state penitentiary for from one to five years and by a fine equal to the amount of money, securities, stocks or public property so embezzled. Provision was also made for the failure or refusal of sheriffs and constables to pay over their collections to the proper parties; such acts were deemed misdemeanors and, in addition to the penalties then in force, were punishable by removal from office.

To aid in the construction of the railroad line from Natchez to Jackson 20,000 shares of the capital stock of the Planters' Bank were transferred to the Mississippi Railroad Company, which had that project in hand. The act of February 15, 1839, which authorized the transfer, also legalized the seizure of the road on failure to pay the State bonds originally issued in exchange for stock in the Planters' Bank.

About this time several bills were enacted into law dealing with the vexatious question of harboring slaves, usually runaways. Any free white person, thus convicted, was liable to a fine of from $200 to $500 and imprisonment of from one to six months; an Indian, free negro or mulatto, could be fined $50, with costs of trial, and imprisoned from three to six months. In the case of the free white harboring a slave, half the fine went into the county treasury and the remainder to the owner or employer of the slave. The slave who was a party to the harboring should receive corporal punishment, not exceeding thirty-nine lashes.

NEW UNITED STATES SENATORS AND CONGRESSMEN

Judge Powhatan Ellis and Judge John Black had been progressing in public favor, along parallel lines, for a number of years. Judge Black succeeded Judge Ellis on the Circuit bench in 1826, and when the latter resigned his seat in the United States senate, six years later, Judge Black was first appointed to fill out the unexpired term and afterward elected for the full term.

In January, 1835, the house adopted resolutions that Black had been elected on a pledge that he would support the policy of Andrew Jackson and oppose the Bank of the United States, prodigal expenditures for internal improvements and a protective tariff. But Judge Black had finally voted in favor of the resolution censuring Jackson; therefore the house resolved that the senator had "unfaithfully represented" the people and that it

was his duty to resign. The resolution passed by a vote of 38 to 13, but he did not resign until 1838. In January of that year Judge James F. Trotter was appointed to fill out Judge Black's unexpired term, but resigned before taking his seat and in December accepted a judgeship in the High Court of Errors and Appeals.

In January, 1839, the legislature elected to the United States Senate Thomas H. Williams of Pontotoc County, who served from January to March, 1839. John Henderson, a Whig though strongly influenced by the States Rights principles, was elected for the full term from March 4, 1839. Senator Henderson, who served his term of six years notwithstanding some dissatisfaction over his stand on the "independent treasury," was a close associate of John A. Quitman, who was a strong supporter of the States Rights doctrine. This fact may have to some extent influenced Henderson's political faith, making him a stanch supporter of the Calhoun doctrine, though many of the Whig party were now inclining to a strict construction of States Rights.

In the congressional campaign of 1839, the Democratic (Van Buren) ticket was elected. Albert G. Brown and Jacob Thompson were elected over A. L. Bingaman and Reuben Davis, who were representatives of the Whig (Henry Clay) ticket. They were both young men, not yet thirty years of age, and, although Brown was the younger, he had enjoyed more legislative experience, having been speaker in the State house of representatives for several terms and otherwise prominent. He resigned from the legislature rather than pledge himself to support a United States senator favorable to the National bank, and was elected to congress as an advocate of the independent treasury policy. Both congressmen favored the repudiation of the Union Bank bonds.

Brown represented southern Mississippi, sectionally, and Thompson, the northern part of the State. The latter had been a resident of Pontotoc, a thriving little village established as a land office, since he had resided in the State, and first came into prominence as an advocate of the immediate representation of the ten new counties into which the old Chickasaw reservation was divided. He drew up an address to the Chickasaw counties advising elections under local writs, as Governor Lynch had refused to issue them in the name of the State. Mr. Thompson was nominated for attorney general by those supporting his views,

but was defeated by a small majority. Afterward the ability he showed in the organization of courts in the new counties added to his strength as a leader in northern Mississippi.

FINANCES IN 1838-39

For a number of years the finances of the State, as they were managed through the State auditor and treasurer, had been manipulated loosely and, at times, dishonestly. Both were the results of speculation, and the banking of worthless money by the official representatives of the State. As stated by Governor McNutt in his message of January, 1839, the auditor, John H. Mallory, was a defaulter to the amount of $54,079, "nearly all on account of town lots and the three per cent seminary and sinking funds." The Treasurer, James Phillips, had been authorized to receive from the United States Treasury the State's quota of the surplus. The Governor stated:

"No authority was given him to receive of the government of the United States anything but gold and silver, or the notes of specie paying banks; yet, in defiance of law, he received payment of the treasury drafts in such depreciated paper as the Agricultural Bank chose to give him. About $200,000 of this was deposited in the Planters' Bank at Jackson, and that branch has ever since the suspension refused to pay out anything to the public creditors except Brandon money. * * * It is deserving of your serious consideration whether the embezzlement of the public money should not be made a felony and punishment by imprisonment in the State prison."

Though this attempt to reform the State government might have redounded to the Governor's credit had he himself been more consistent, it won him little respect and influence with the leaders of the State, who suspected that it was more in the nature of a demagogic effort to make himself popular with the people than any sincerity of purpose.

James Phillips, who had been State Treasurer from 1828 to 1835 and since January, 1838, died in August of that year and was succeeded in the following month by J. A. Vanhoesen. It is reported that $20,000 "was held out by representatives of Phillips for some time and then paid in uncurrent money."

In 1838 the treasury receipts amounted to $196,000; expenditures, $350,000. The treasurer's report showed $140,000 in the

treasury, its receipts being generally bank notes which no one else would take, the legislature having made them all legal tender in the payment of taxes.

In his statement of the public debt, Governor McNutt included $382,335 deposited by the general government and liable at any time to be withdrawn; $2,000,000 in bonds to take up stock in the Planters' Bank and $5,000,000 invested in the Mississippi Union Bank; altogether $7,382,335, with annual interest amounting to $370,000, mostly payable in Europe. "To preserve the honor of the State unsullied and her credit unimpaired," the Governor concluded, "it is of the last importance that the interest should be punctually paid at the places designated and ample funds provided for the redemption of the principal—it is usually much easier to borrow and spend money than to provide for the means of payment." This, coming from one who popularized himself with the people by every known method of the demagogue, which the rank and file never at first seem able to withstand, would be humorous were it not so repugnant to the straightforward mind. Before his administration was completed he was in direct opposition to this statement, claiming that he was driven to it by the wild expenditure of the public monies and finally appealing to the people to wipe their hands of the whole public debt.

STATE AND PRESIDENTIAL ELECTIONS

The Democrats carried the State ticket as they did the congressional, although the race between McNutt for reelection and Judge Edward Turner was close—18,900 to 15,886. The Whig candidate was one of the best known public men in the State, and had held important positions even when Mississippi was a Territory. He was one of the founders of the Commonwealth and had been an honored judge of the Supreme Court before he offered himself for Governor. But he was considered a representative of conservative political sentiments, and the majority of the people preferred to follow Governor McNutt and his policies. The other state officers were Thomas B. Woodward, Secretary of State; Thomas Craig, Treasurer; A. B. Saunders, Auditor.

In the presidential election of 1840 the Whigs carried Mississippi, largely from the fact that William Henry Harrison, the

northern hero of the War of 1812 and commander of the American forces, was popular in the State, and the Democratic candidate, President Van Buren, was not only unpopular but his administration bore the burden of the widespread financial disorganization. The vote was: Harrison, 19,518; Van Buren, 16,975.

The legislature which assembled in January, 1840, was overwhelmingly Democratic. Evidently, the people had pronounced against the reckless issue of post notes, and all other forms of unsecured currency, and the Governor recommended the repeal of the State bank charters.

GOVERNOR McNUTT'S ATTACK ON THE UNION BANK

Prof. Charles H. Brough in his *History of Banking in Mississippi*, says of Governor McNutt's attack on the Union Bank:

"But the shibboleth of his crusade against the Union Bank was not sounded until his annual message of January 17, 1840. Referring to its management, the Governor said: 'I am induced to believe that a large portion of the property accepted as security for the stock is encumbered by judgments, mortgages and deeds of trust; that the valuations of the appraisers were generally very extravagant; that in many instances the titles to the property offered are yet imperfect, and that the whole management of the affairs of the bank had been disastrous to its credit, destructive to the interests of the State and ruinous to the institution. Many of the cotton agents and consignees are defaulters and great loss on the cotton account is inevitable. The post notes, issued in violation of law, have greatly depreciated, and if the decisions of several of our circuit judges are affirmed by the High Court of Errors and Appeals, actions cannot be maintained on a large portion of the bills receivable of the bank.

" 'On the 18th of November, 1839, I received a letter from the cashier of the bank, together with two resolutions of the directors, one of which informed me that the remaining $5,500,000 of bonds were ready for my signature. Believing that there was no immediate prospect of a sale of the bonds, and that further legislation might be required, I determined to execute the remaining bonds. * * * The faith of the State is pledged for the whole capital stock, and the property of all her citizens may hereafter be taxed to make up its losses and defalcations. The

right of the people, therefore, to know the conduct of all its agents and the liabilities of every one of its debtors, cannot be questioned.'

"The Governor estimates the liabilities of the Union Bank then due at $249,696; the amount then due and payable during the months of April and May, 1840, at $3,919,992, and the amount due in January, 1841, at $43,261—making a total of $4,290,880.

" 'To pay the residue,' continues the message, 'the bank has $5,000,000 of State bonds and exchange bills, etc., to make the amount of $9,000,000. The State bonds cannot be sold and a sufficient sum cannot be realized in time out of the other assets of the bank to pay the post notes due next April and May. It will take more than $250,000 of the available funds of the bank to pay in London the interest on the State bonds previous to the first of September next.

" 'The Union Bank has certainly failed to answer the purposes of its creation, and I feel confident that even with the most able and prudent management it can never be made useful. * * * I have come to the conclusion that it is our duty to place the institution either in liquidation, or to repeal all that portion of the charter giving to private individuals stock in the bank and privileged loans. The State debt already amounts to about $7,500,000. The interest on $7,000,000 is payable abroad and amounts to $370,000. The rights of the stockholders are yet inchoate, and until the residue of the bonds are sold they can have no peculiar claims. * * * I am bound to recommend that the $5,000,000 of the State bonds last issued shall be called in and cancelled, and that no more shall be hereafter issued for the Mississippi Union Bank.'

"In this message the Governor further recommended an immediate repeal of the charters of all the banks that did not promptly fulfill their obligations to note holders and depositors. Said he: 'The existing banks cannot be bolstered up. Destitute as they are of credit and available means, it would be folly in us to attempt to infuse vigor and stability into their lifeless forms. They are powerless to do good, but capable of inflicting injuries irreparable. * * *

" 'All (the banks) are, in effect, in a state of suspension; many of them have issued post-notes; several have been established in fraud, and none of them are now useful.

" 'It no doubt will be contended, if we repeal our bank charters, that the State will be deprived of a circulation and that the exchanges of the country cannot be carried on. This argument is more specious than solid. Our annual export of $15,000,000 will command a sound currency. Money will then become a standard of value and not be used as an article of traffic. The expense of producing cotton will be reduced at least fifty per cent, whereas the price in foreign markets will not be diminished. Foreign creditors will be contented with a similar amount in good funds that they now exact in depreciated trash.'

"The Governor estimated the banking liabilities of the State at this time at $62,840,365 and the assets at $67,810,805. Of these assets the amount of the 'suspended debt' and the 'suspended debt in suit' totaled $16,972,937, while the banks held $31,360,790 in the form of 'notes and bills discounted,' representing doubtful collections of $48,333,727. These, while there was a nominal excess of resources over liabilities of nearly $5,000,000, on account of their worthless nature gave the note holder and depositor little security.

"In concluding his message the Governor sounded this keynote in his campaign against State banking: 'A system that requires a veil to be thrown over its operations, that has the power of raising and depressing the price of property at pleasure, that can either by design or through mismanagement greatly depreciate our circulating medium, can never be made beneficial.' "

The financial condition of the State at this time is thus condensed in the *Encyclopedia of Mississippi History:*

"The State was in the grip of the rag-money combination, which apparently defied all effort at regulation. By maintaining the system, the eminent citizens engaged in banking were able to make profits of about fifty per cent annually out of the unfortunate public. The revolt of the debtors against the grip of the capitalists upon the legislature and courts practically paralyzed the administration of justice. In some cases, when courts were to be held, the sheriff and coroner of the county would resign to prevent the formal opening of the session and the entry of judgments. This was the day when it was said that a common return by sheriffs upon writs of collection was G. T. T.—Gone to Texas."

LINING UP THE BANKS

The bank commissioners and various legislative committees had also been collecting data to aid in their sturdy tilt against unsoundness and fraud in the finances of the State. In general, the commissioners reported that the chartered banking capital of the State amounted to $56,750,000; capital stock nominally paid in, $30,379,000; deposits, $8,691,000; due to banks, $7,065,000; sterling bills drawn, $1,500,000; circulation, $15,171,000. The resources were: Cotton accounts, $3,000,000; discounted bills, $32,000,000; suspended debts, $17,000,000; railroad investments, $4,000,000; specie, $868,000.

The results of examinations of the Union and Agricultural banks are illustrative of how little the foregoing figures mean. One of the legislative committees appointed to look into the status of the Union Bank found that it had issued $300,000 demand notes, and post notes amounting to $6,629,500. It only claimed cash on hand amounting to $3,000,000, and silver, notes of other banks and auditor's warrants totaling $465,000. The liabilities of the bank over its available resources were more than $4,000,000.

A special commissioner appointed to examine the Agricultural Bank reported that every obstacle had been thrown in his way to prevent him from doing so, especially in regard to its post-note transactions. The bank had only about $25,000 in specie, and its stock and cotton and post notes were worth not more than fifty cents on the dollar.

And these were the strong banks of the state!

Governor McNutt, in welcoming the legislature of January, 1840, announced: "We all come here pledged to aid in reforming abuses which can be tolerated no longer." He had special reference to the reformation of the banks, and the legislature heartily supported him. His course would have been a commendable one if he himself had been consistent.

The first act looking to that end was passed on February 15th and was designed to prevent persons unauthorized by law from engaging in the banking business. The penalty for violating the measure was $1,000. It was also made an offense, similarly punished, for anybody to "pass, or offer to pass as money, any bills, promissory notes, commonly called shinplasters, or other

evidences of debt issued by any person or persons, or body corporate, not authorized by the laws of this State to issue bank notes." All penalties incurred for violations of the act were to be added to the literary fund. The act was to go into effect on July 4, 1840.

Much more comprehensive and radical was the act of February 21, 1840. The issue of any bank was limited to three times its specie capital, and its management was required to make a statement twice a year as to the amount of its specie on deposit. Post notes were prohibited and it was made unlawful to deal in stocks or real estate, except it might be necessary for the proper conducting of the institution. The provisos were the ownership of any real estate owned by a bank in a railroad and the taking of liens upon land or other property to secure debts already existing. Dealings in cotton, or other commodity, as security for any loan, or any similar contracts made for any purpose whatever, were pronounced null and void. Nor could bills receivable be transferred by a bank. The dates fixed for the commencement of specie payments were as follows: Bills of the denomination of $5 and under, April 1, 1840; $10 and under, July 1st of that year; $20 and under, October 1st, and (quoting the words of the act) "from and after the first day of January, 1841, they shall be required to resume specie payments upon all their notes, bills, bonds and other liabilities of whatever denomination then due." Refusal of the bank to pay specie carried with it a fine of $1,000 and an imprisonment of three months.

Whenever such refusal should be attested by the holder of an evidence of indebtedness against a bank, the Governor was to issue a proclamation declaring its charter forfeited. Commissioners appointed by the bank and the Governor were then to make out an inventory of all its effects, one copy of which was to be sent to the chief executive and another remain in the bank. After the passage of the act, the bank could not make a loan to any individual or firm for a sum exceeding $20,000, or accept such as endorser on a larger sum than $50,000.

The penalty for fraudulently concealing or squandering any of the bank effects, or withholding information from the Governor, was a fine not to exceed $1,000. It was also made the duty of the Governor, in case satisfactory evidence should be presented to him that any bank was fraudulently attempting to

avoid a forfeiture of charter, to instruct the attorney general to proceed against said institution. If it desired, any bank in the State could surrender its charter within 120 days after the passage of the act. Upon surrender of its charter, the bank was required to extend the time of payment to its debtors for six years. Within thirty days after the deposit of a certificate of charter surrender in the office of the Secretary of State, the Governor was to appoint a commissioner who was to act with appointees of the bank to investigate the institution and make a statement of its affairs. One copy of the inventory was to be left in possession of the bank and another transmitted to the office of the Secretary of State, the same to receive newspaper publication.

RAILROAD WORKS PROTECTED

A supplementary act was passed on the day following the enactment of this sweeping measure of banking reform by which the work of the several banks which had also engaged more or less in railroad building would not be embarrassed. At this time there were about eighty miles of railroad in Mississippi, chiefly between Natchez, Jackson and Vicksburg. The saving act reads: "The several banks of this State which have completed, in whole or in part, any railroad or work of internal improvement, shall only forfeit or surrender their banking privileges in the contingency provided in said act, but their charters shall, notwithstanding such forfeiture or surrender, remain in force so far as regards such railroad or work of internal improvement, which may be constructed, completed and used according to said charters respectively."

Under authority of the act of February 21, 1840, Governor McNutt declared forfeited the following: Grand Gulf to Port Gibson; Mississippi, Tombeckbee, Benton and Manchester; Aberdeen to Pontotoc and Hernando railroad companies; Bank of Vicksburg, Mississippi Union Bank and the Citizens' Bank of Madison County. None of the banks had complied with the law requiring the resumption of specie payments. The Agricultural, Planters' and Vicksburg Commercial, with others less well known, put their assets in trust before the law was passed. At the time the charter of the Union Bank was declared forfeited, the institution had $4,000 in specie and immediate liabilities of $3,000,000.

Besides those measures enacted to regulate the wild banking

of the State, other bills became law through the action of the legislature. As is customary, the law makers continued their efforts to regulate the morals of the people—a more difficult task sometimes than to regulate their finances. Divorce was almost unheard of in the State's population, yet desertion was frequent enough among the masses to cause some reformer to busy himself in the matter. The period of "wilful, continued and obstinate desertion" as a cause for divorce was decreased from five to three years, and "any testimony which may have been legally taken and used in any former trial (for divorce) shall be competent in any subsequent suit by original bill or otherwise, the same being certified by the clerk of the court in which such trial may have been had."

On the 20th of February, the first definite and practical steps were taken to found the State University. The first nine sections directed that several sites should be selected by ballot of the legislature, and after nine commissioners had examined and reported upon them to the succeeding legislature one location was to be permanently chosen. "All sums of money belonging, or hereafter accruing, to the seminary fund" were appropriated "for the use and benefit of the University of the State of Mississippi." The University was not regularly incorporated until four years later.

OTHER EVENTS OF 1840

Among other events of political and social importance in the history of the State, especially to the citizens of Jackson and the other large cities where he stopped, was the second visit of Andrew Jackson about five years before his death. Everywhere he was received with the warmest manifestations of love and reverence and his visit to the State was as much in the nature of a triumphal tour as those taken after military and political victories.

Relating specifically to the development of the State and its institutions at this period was the opening of the State penitentiary at Jackson. The necessity of such an institution was recognized and urged by public men in the infancy of the Commonwealth, but although a site was selected the poverty of the State treasury prevented constructive work until 1839. On April 15, 1840, the brick work of the keeper's house and the east wing of the penitentiary were so far advanced that prisoners commenced

to be received. The old pententiary was located on the site of the magnificent new capitol of today.

The tornado that occurred at Natchez in May, 1840, resulted in appalling destruction of life and property and was of state-wide significance. Henry Tooley, an accomplished meteorologist, during the storm made close observations of the barometer and thermometer, and carefully examined its physical effects. His interesting account of the casualty condensed here, is graphic and reliable.

It seems that May 7th opened densely cloudy and very warm, the heat increasing until noon. At 12:45 the roar of the approaching storm could be heard in the southwest, with a gale blowing toward it from the northeast. The thunder and lightning were incessant. An hour later inky clouds were sweeping up both sides of the river, the city was soon enveloped in darkness, terrific thunder shook the earth, the wind whirled to the southeast, and at 2 o'clock the tornado swept through the city followed by a calm. The storm was felt close at hand for about five minutes—a few seconds in which it accomplished its work.

Every building in the city was more or less injured, many utterly demolished, and very many unroofed, with their walls more or less broken or thrown down; every tree and fence prostrated; the streets filled with scattered fragments of every kind and nearly impassable. The famous district, Natchez under the Hill, to the relief of the people who saw in the calamity a blessing in disguise, was swept by the whirling storm, which demolished almost every house, shop and building and reduced that part of the city to utter ruin. Three steamers broke their moorings, their upper works being blown off as feathers. Two of them capsized and sunk and nearly all their crews and passengers perished. More than sixty flatboats laden with up-country produce were torn from their fastenings and, with their crews, disappeared. Many houses where the rooms were closed exploded outward, because of the vacuum created by the funnel of the tornado, and the juices of leaves, herbs and grass were extracted so that the vegetation afterward withered.

The casualties were given as follows: Killed in the entire city, 48; perished on the river, 269; wounded in the city, 74, and on the river, 35. A woman was rescued from the wreck of the

Steamboat hotel, alive but mangled, with her two dead children in her arms.

The most widespread damage was done in Louisiana in the earlier path of the tornado and hundreds were reported killed. The court house at Vidalia was wrecked, burying Judge Kerton in the ruins. Natchez was visited by a delegation from New Orleans bringing a corps of surgeons and several thousand dollars of money for the relief of sufferers.

REPUDIATION OF UNION BANK BONDS

Returning to State affairs, of a political nature, after the adjournment of the legislature of 1840, which adopted laws embodying the views of Governor McNutt regarding the banks, the chief executive issued a proclamation announcing that the State would not pay the Union Bank bonds. By what route he had reached this position is something of a riddle, but he claimed in many flamboyant phrases that the people had been duped and preyed upon. Repudiation was the main issue now and continued to be for a number of years—repudiation not only of the bonds of the Union, but of the Planters' Bank. Disagreement over this subject was the main reason for calling the special session on January 5, 1841.

On the general point of ignoring the provision of the constitution which plainly provided for biennial sessions of the legislature, Governor McNutt said in his message of January, that year: "This is the seventh session of the legislature which has assembled during the last five years. The four extra sessions have cost the State about $200,000 and have bankrupted the State treasury. A careful examination of all the acts of the special sessions will demonstrate that they have been productive of little good and much evil." For future use the old adage "A hint to the wise is sufficient" may not be inappropriate here.

In the face of the fact that the State was debt-ridden to the crushing point, the agricultural status of Mississippi presented an encouraging offset, and Governor McNutt thus presented it: "We produce annually cotton equal in value to one-third of the whole crop of the Union; and it yields an amount equal to one-seventh of all the exports of the United States of domestic growth. The immense increase in the growth of corn, oats, wheat and rye, and the large amount of horses, cattle and swine raised by

our planters, have made us independent of other states for the necessities of life."

But the Governor soon reached repudiation as the main subject for consideration, and now as its foremost champion launched vigorously into the subject. He said the State was already in debt $400,000 on auditor's warrants and to meet the bank bonds and interest would require another million to be raised by taxation immediately. "Such an enormous tax," he continued, "can never be collected from the hard earnings of the people of this State. They will not elect representatives who will impose it, or tax gatherers who will collect it." He then referred to the three great institutions in which the State was a stockholder, thus: "The situation and affairs of the Mississippi Railroad Company, the Planters' Bank of the State and of the Mississippi Union Bank, will demand your calm consideration. All these institutions are insolvent and none of them can resume specie payments for several years or make further loans. I submit, therefore, copies of my letters to those banks, calling for specific information in relation to their condition and the answers and statements furnished. The Union Bank has $4,349 specie on hand. Her suspended debt in suit is $2,698,869; suspended debt not sued on, $1,777,337; resources, chiefly unavailable, $8,033,154; immediate liabilities, $3,034,154; capital stock, $5,000,000."

The Governor further declared that "the whole capital stock of the Union Bank has been lost," and proceeded to refer to the system of making advances to planters on the cotton crop, as follows: "The bank (the Union) has 7,000 bales of cotton in Liverpool on which it has drawn $267,116. An advance of $60 per bale was made to the planters upon that cotton in 1838. The bank will sustain a clear loss, including interest, of $30 per bale, equal in the aggregate to $210,000. The bank has been irretrievably ruined by making advances on cotton, issuing post notes and loaning the principal portion of her capital to insolvent individuals and companies. The situation of the Mississippi Railroad Company and the Planters' Bank is equally bad."

The Governor said that his main reasons for the repudiation of the Union Bank bonds were: First, that they were sold on credit, instead of for cash at their par value, and secondly, that they had been purchased in the name of the United States Bank of Pennsylvania, the charter of which prohibited that institution

from dealing in bonds or stocks other than those issued by the United States or the State of Pennsylvania. *Lowry and McCardle's History of Mississippi* says on this subject:

"The legislature of that year, however, did not concur with the executive, and both houses adopted, by decisive majorities, resolutions declaring that the honor of the State demanded that both the Union and the Planters' Bank bonds should be paid, both principal and interest. The resolution declaring in favor of paying the Planters' Bank bonds was adopted in the senate unanimously, every senator being present, and in the house of representatives it passed by a majority approaching unanimity.

"The vote in favor of paying the Union Bank bonds was passed by a two-thirds majority in the senate, with every senator voting, and the majority in the house on the same resolution was large.

"The agitation had commenced, however, and it is not the fashion of revolutions to make retrograde movements. The Democratic convention assembled on the 8th day of January, 1841, to nominate candidates for governor and other State officers. The convention made its nominations, but was silent as the grave on the bond question.

"Some six weeks later the Whigs met in convention, took strong ground in favor of paying the State bonds and nominated a full ticket in entire accord with the convention on the bond question. Judge David O. Shattuck was the nominee of the Whig, and Thomas H. Williams of the Democratic party for governor. It was soon ascertained, however, that Mr. Williams was not entirely sound as a repudiator, and a few gentlemen got together at the old capitol and nominated Mr. Hanson Allsberry. He accepted the nomination and commenced the canvass, but being embarrassed financially he abandoned the contest and moved to Texas.

"Tilghman M. Tucker, of Lowndes County, was next nominated and after a long, bitter and exciting campaign the repudiators were successful in electing their whole State ticket and a majority in both branches of the legislature.

"It was a notable fact that the largest taxpayers were uniformly in favor of paying the bonds, and that the heaviest taxpaying counties gave majorities for meeting the obligations of the State and for paying the Union Bank bonds. Thousands of the best and most intelligent men in the State scorned to discuss

the legality of the issue or the sale of the bonds, and based their advocacy of payment on the broad ground of comity, fair dealing and expediency." The minds of the masses however had been subverted by demagogic appeals that the people had been made the innocent victims of gigantic and fraudulent schemes on the part of the speculators who sought to enrich themselves. So artfully had this chord been played upon by McNutt and his followers, that the masses grew belligerent in their own defense, resolving in a fierce battle for the justification of their rights to ignore any transactions of past political leaders and take affairs in their own hands.

The total vote cast in the 1841 election was 35,832, of which Tilghman M. Tucker received 19,059, and David O. Shattuck 16,773.

GOVERNOR TUCKER AND HIS ADMINISTRATION

The Governor-elect was a sound, industrious lawyer, a genial and popular gentleman and a wealthy planter and land owner. In his early life he was a blacksmith, and commenced the practice of law at Columbus, Lowndes County. He was soon active in politics, and from 1831 to 1842, inclusive, was serving either in the house or the senate of the legislature. On account of poor health he entered reluctantly into the gubernatorial canvass but was induced to accept the nomination, as a strong and available candidate, by William M. Gwin, long United States marshal and Jackson's protege, who was then endeavoring to reorganize the Democracy in Mississippi.

Governor Tucker assumed office under most embarrassing and distressing circumstances. They cannot be more graphically described than in the words of the retiring chief executive, Governor McNutt. When the legislature met January 10, 1842, McNutt again referred to the frequent and unconstitutional sessions of the legislature and the consequent impoverishment of the State treasury. The published acts of 1841 contained contradictions which had created great confusion in the laws. The State officers, particularly the Auditor, Treasurer and Secretary of State, were in the habit of absenting themselves from the capital for long periods, leaving their business in the hands of irresponsible clerks. "Under such circumstances," he said, "the public business is often

neglected and the funds of the State endangered." Of Auditor Mallory, who was indebted to the State in the sum of $54,000, Governor McNutt announced: "Suit has been pending on his bond for nearly three years. Assistant counsel have been employed by the State, but no judgment has been recovered. In the meantime his sureties have become insolvent and the whole debt may be considered lost." The State laws were such that "the public offices may be closed, the funds wasted and embezzled, and no power can remove the culprit until regularly impeached."

For nearly two years the treasurer had been unable to cash the warrants of the Auditor, and to that extent he had ceased to be a check upon the Auditor. Many thousands of dollars were annually lost to the State by delays and failures in the prosecution of suits against defaulting tax collectors.

The State had lost nearly $303,000 in notes issued by the Brandon, Grenada and Mississippi Union banks, and the Natchez and Hernando railroad companies, of which over $238,000 was on account of the Brandon and Grenada concerns. "The taxpayers paid said sums in funds nearly equivalent to specie. The losses sustained by the State in the reception of bank paper admonish the legislature of the danger of taking it in payment of the public dues. The banks of this State have sunk about $20,000,000 in relieving the financiers—they will receive their last relief in the Bankrupt act."

The *Encyclopedia of Mississippi History* thus condenses the financial results of the McNutt administration, which were inherited by Governor Tucker: "The great record of McNutt's administration was the creation of the Union Bank and a debt of $5,000,000 and the repudiation thereof, all within four years. Besides this the Governor and legislature absolutely threw away the stock in the Planters' Bank, which had previously yielded an annual dividend of $200,000, and destroyed the sinking fund. On the first day of January, 1838, there was in the treasury the sum of $279,613 in cash. Four years later, there were 34 cents in specie, a lot of worthless bank notes and claims of $8,000,000 pressing for adjustment." Governor Tucker himself puts the matter thus severely: "This presents a scene of reckless extravagance and prodigality unequalled in the administration of any free government which has ever existed."

FIRST OCCUPANT OF GOVERNOR'S MANSION

It will be interesting to the people of the State to know that Governor Tucker was the first chief executive of Mississippi to occupy the mansion just completed. The executive mansion had been handsomely furnished, and it was an elegant and a pleasant home for the Governor of the State. He was inaugurated on the 10th of January, 1842, with the official and social ceremonies now becoming usual to the capitol since its location in the central portion of the State. His inaugural address was mainly devoted to a statement of his attitude on the Union Bank bond question. He held that the people had decided that "the transactions connected with said bank, both in its inception and final consummation, were not governmental, but were on the contrary individual transactions, performed not only without the authority of the constitution of the State, but contrary to the express provisions thereof; though, should the legislature feel under any obligation, either legal or moral (which I do not), or should deem it a matter of policy to discharge this obligation, and should determine to assume and pay the debt or liability," the constitution provided the method—an act pledging the faith of the State to be referred to the next legislature.

"In my opinion," the Governor continued, "a marked distinction exists between the liability of the State on account of the Planters' Bank and the Mississippi Union Bank. In the case of the Planters' Bank, the bonds were executed and sold (fairly, so far as I am informed) in accordance with the constitution and will of the people." He knew of no reason either moral or legal forbidding the State to pay the Planters' Bank bonds, unless they could be construed as bills of credit prohibited by the constitution of the United States. If found indispensably necessary to save the State form a violation or breach of its contract, "I will unite with you in providing the means, even by taxation, to pay them."

About six weeks after the new administration had gone into office, and in line with Governor Tucker's opinion and implied recommendation, the legislature, largely under his influence, repudiated the Union Bank bonds. On the 18th of February, 1842, the following resolution taking that action was adopted by the senate, 16 to 10, and by the house, 54 to 37:

"That for the reason set forth in the foregoing report this

THE ORIGINAL GOVERNOR'S MANSION. JACKSON (1842)

legislature denies that the State of Mississippi is under any legal or moral obligation to redeem the $5,000,000 of bonds sold by the commissioners of the Mississippi Union Bank to Nicholas Biddle on the 18th of August, 1838. But while the legislature does most solemnly repudiate said bonds and declare the sale thereof as illegal, fraudulent and unconstitutional, yet that the holders of those bonds may have every possible legal and equitable remedy for collecting the amount paid on said bonds, they are hereby invited to pursue the remedy afforded by our laws and constitution against the Mississippi Union Bank and against all and every person who, by his, her or their connection with said institution, have rendered him, her or themselves liable, either in law or equity, for the debts of said bank."

The only other incidents of Governor Tucker's administration of one term calling for special comment are those in connection with the defaulting State Treasurer, Richard S. Graves. The crime committed was a striking illustration of the comparative value placed by public men upon the substantial money issued by the United States treasury and the discredited funds of the State.

In the autumn of 1842, Treasurer Graves received from the national secretary of the treasury a draft on the treasury of the United States for $165,079, the amount due the State of Mississippi on the two and three per cent funds. This draft was made payable in United States treasury notes at a future day with interest, and to Richard S. Graves in his individual capacity and not as State Treasurer. Of the total amount more than $144,000 was paid him on October 6, 1842, and received into the State treasury without warrant or certificate from the auditor of public accounts. That large sum, which, on the face of the draft on the United States treasury, was the personal property of Richard S. Graves, was the percentage of the public land sales applied to the road improvements of the State. It was the whole amount of the two per cent fund. As afterward developed, the plan of Mr. Graves and his associates was to keep the fact secret that he had a personal claim upon the two per cent moneys until such time as he could invest the solid United States treasury notes in State warrants. The latter he could buy at from fifty to sixty cents on the dollar, and turn them over to the State at par in place of the funds received from Washington. This had been done by other public officials before Graves' time, but the State Treasurer

delayed the completion of his scheme—the total purchase of the State warrants—too long; for in January, 1843, Governor Tucker was advised by a letter from Jacob Thompson, one of the Mississippi congressmen, that Graves had drawn the whole of the two per cent funds, which constituted the greater part of the amount due the State by the general government.

The sequel of the Graves affair is thus told by Messrs. Lowry and McCardle in their *History of Mississippi:*

"The letter of Mr. Thompson caused Governor Tucker to investigate the power of the executive over the State Treasurer, as well as the contents of the treasury. After a careful examination Governor Tucker reached the conclusion, in which he was supported by the Attorney General and employed counsel, that the State Treasurer could be removed only by impeachment. At that time, there was no statute authorizing the Governor to suspend the State Treasurer, or to remove the funds from his custody. The investigation, however, led to the arrest of Graves in March, 1843, charged with the offense of embezzlement. He was arraigned before Chief Justice Sharkey, of the High Court of Errors and Appeals, who presided over the committing court.

"During the progress of the trial Graves was in the custody of the sheriff of Hinds County and under guard at his own residence, when Mrs. Graves appeared at the door of the room in which her husband was held a prisoner and requested to see him. She was granted the privilege, and in less than an hour a person supposed to be Mrs. Graves came out of the room and passed the guard going to her own apartments. The guard, after considerable time, hearing no noise, looked into the room and saw, as they supposed, Graves in bed. A nearer approach to the sleeper developed the fact that the occupant of the bed was Mrs. Graves, and that it was the defaulting treasurer who passed the guards dressed in his wife's apparel. When next heard from Graves was in Canada, where his wife subsequently joined him.

"Soon after the escape, Mrs. Graves requested an interview with Governor Tucker. When the Governor called she delivered to him $69,232.68 in Mississippi treasury warrants, $92,000 in United States treasury notes, and $2,749.68 in foreign gold. On the 31st of March, 1843, Governor Tucker appointed Hon. William Clarke Treasurer of the State to fill the unexpired term of R. S. Graves. When the newly appointed treasurer had qualified

and given bond the Governor paid into the treasury the funds received by him from Mrs. Graves.

"The defalcation of the State Treasurer, together with other reasons, induced the Governor to call a special session of the legislature, which assembled on July 10, 1843. On the second day after the convening of the legislature, Treasurer Clarke submitted a report showing the defalcation of his predecessor to be $44,838.46." Judgment was subsequently obtained against the bondsmen of the defaulter for more than $51,000, and still later a compromise was effected with them. Nothwithstanding, the comment was true that "Graves' dishonesty, betrayal of friends and unfaithfulness, brought misery and suffering to many."

That Mississippi along with every other Commonwealth had its troubled days is true, and the author unflinchingly records the facts, secure in the knowledge that back of the political intriguing and selfish speculation of the day a brave, aspiring and patient people were moulding the social life of the State.

THE KILLING OF HAGAN

Events connected with the defalcation of Treasurer Graves resulted in the killing of James Hagan, the editor of the *Vicksburg Sentinel*, by Daniel W. Adams, the son of Judge George Adams, who resented a violent newspaper attack made upon his father by Hagan. Mr. Hagan was an Irishman, educated at the University of Dublin, a master of satire and ridicule, and had enjoyed metropolitan experience in newspaper work at Washington, D. C., before he settled at Vicksburg. In his capacity of special bank examiner in 1839 and 1840 he exposed the illegal operations of the banks and urged, above all other remedies to reform the finances of the State, a thorough "publicity." At the same time he claimed that the monetary corruptions could not have existed without the connivance of legislators, and, after he had made his report on the banks to the legislature, proceeded to attack some of the senators of the State in his *Sentinel*.

The defalcation of Graves was an incident in the chapter of State corruption of which Editor Hagan made the most in his campaign against the banks and the legislature. After the flight of the State Treasurer to Canada and while Judge Adams and Henry S. Foote were making an investigation of his transactions

before Judge Sharkey, the editor of the *Sentinel* made a violent attack upon the State administration. Judge Adams and Governor Tucker were selected as his special targets. The result was that the son of the former demanded personal satisfaction in behalf of his father. A street fight was the result, in which Hagan was shot through the head and killed. The date of the fatal affray was June 7, 1843, and the editor of the *Sentinel* was then but thirty-eight years of age. Daniel W. Adams, who thus avenged the attack upon his father according to the generally accepted custom of the period, was acquitted of murder, and afterward became a leading lawyer and a famous colonel of a regiment in the Confederate army.

RETIREMENT OF GOVERNOR TUCKER

The general election of 1843 sustained the advocates of repudiation of the Union Bank bonds. Governor Tucker, however, in the following words, insisted that the notes of the Planters' Bank should be paid: "We must frequently pay the heavy penalties of the past folly and prodigality of reckless public agents, as will be the case with us when we pay the Planters' Bank bonds. * * * I consider that the refusal to pay said bonds would tarnish the principles of the fair name and credit of the State and repudiate the constitution."

Notwithstanding which, before the end of his administration the assertion was gaining ground that the bonds of the Planters' Bank were also unconstitutional as a violation of the fundamental Bill of Rights under which "all government is for the benefit of the people." It was claimed by the advocates of this plea that the Planters' Bank had not been administered for "the benefit of the people," despite the fact that an integral part of the State constitution of 1832 had been framed to insure the constitutionality of that institution and the validity of its bonds.

The term of Governor Tucker expired on January 10, 1844. Before its conclusion, in the fall of 1843, he had been elected to a seat in the twenty-eighth congress and completed his public service with his one term in the national house of representatives. Like McNutt, he lost popularity in the State and after his retirement from public life, he went to reside at his plantation, Cottonwood, in Louisiana. He died while visiting his father in Alabama, on April 30, 1859.

ELECTION OF GOVERNOR BROWN

Albert Gallatin Brown, who succeeded Governor Tucker as chief executive of Mississippi, was one of the most popular and best balanced of her public men of that period. He was a politician, devoid of political trickery, and, aside from his real abilities as a lawyer, legislator and executive, earned his success because of his unvarying kindness. Although he matured early, he continued his interest in public affairs until his death.

As a boy Governor Brown came to old Gallatin, Copiah County, western Mississippi, from the farming districts of central South Carolina, and his father, who was a well-to-do farmer, sent his son to both Mississippi and Jefferson colleges. He was educated wholly within the State. He was so enthusiastic and efficient in military matters that he was a brigadier general of militia at the age of nineteen and before he had attained his majority had gained admission to the bar and formed a partnership with Ephriam G. Peyton, his preceptor.

Governor Brown entered politics as a Democrat and served in the lower house of the legislature from 1836 to 1839, inclusive. At his first session he was chosen speaker pro tem. In January, 1838, as committee chairman he reported in opposition to the National Bank, and in the succeeding fall a majority of his constitutents called upon him to vote for a United States senator favorable to that institution, or resign his seat in the legislature. He pursued the latter course, and was reelected not only to the legislature, but, on his record, was sent to congress, in which he served from 1839 to 1841. Declining a renomination for congress, he next held a circuit judgeship for two years, and in the summer of 1843, when just of sufficient age, was nominated for Governor.

In the nominating convention, Governor Tucker was his strongest competitor. The other candidates were John M. Taylor of Hinds County, Joseph Dunbar of Jefferson, T. B. Woodward of Yazoo, R. C. Hancock of De Soto, C. B. Green of Madison, Parmenas Briscoe of Claiborne and Andrew Hays, also of Hinds. Mr. Brown received the nomination on the eighth ballot, he and Mr. Tucker leading from the first.

In the campaign for election, Governor Brown was opposed by George R. Clayton, Whig, and Thomas H. Williams, independent

bond-paying Democrat. Substantially, the only issue advanced, and certainly the only one which caused earnest discussion, was the repudiation of the Union Bank bonds. The opponents of the regular Democratic candidate pointed out that as a member of the legislature he (Brown) had voted for the chartering of the Union Bank, and in 1839 for a bill to compel Governor McNutt to issue the total amount of bonds contemplated by the charter $15,500,000. But the defence of the democracy and their State leader was that new light had been thrown on the subject and that the issue of Union Bank bonds was unconstitutional.

In the election for State officers the balloting resulted as follows: Albert G. Brown, 21,035; G. R. Clayton, 17,322; Thomas H. Williams, 1,343. Total vote cast, 39,700, as compared with that of 35,832 for 1841.

THE FIRST BROWN ADMINISTRATION

Governor Brown went into office on January 10, 1844, as perhaps the most popular man in the State—and the acknowledged leader of the Democracy. He was without any of the wiles of the office seeker though an earnest supporter of Calhoun and active in the movement for popular rights. Although he rode into the gubernatorial office on the wave of repudiation, he sincerely believed that the people had been victimized both in Mississippi and the other states of the Union. In his inaugural address he did not forget the broad principles for which he stood. He declared that experience had justified the wisdom of electing the judges by direct vote, and continued: "If the sixty years of experience which we have had in the science of government has demonstrated anything, it has shown that the man is best governed when he governs himself. I would knock off the shackles and give to freedmen liberty in its broadest sense. But I would extend the blessings of education to everyone, that everyone might read and understand the importance of using that liberty for his own safety and for the advancement of his country's glory. I cherish it, fellow citizens, among the most ardent wishes of my heart that the day may come when every white adult in the State of Mississippi may at least be enabled to read and write. * * * If my advice could avail anything, it would be freely given in favor of a general system of common schools, which should be open to all and at which the poor should be educated gratis."

When the Governor reached the absorbing topic of repudiation, he declared that the *Union bonds were not a debt of the state, as were the Planters' bonds.* He said that he would make this one effort to roll back the tide of obloquy and meet the opprobrious epithets which were being hurled at his State. "She has decided," he claimed, and reiterated in all public speeches touching the question, "not that she will repudiate her debts, but that this is not her debt, and she spurns alike the carping enemies who would seduce her into an abandonment of her position." The people of Mississippi, he concluded, have been the dupe and prey of the moneyed classes.

At the first session of the legislature in 1844, laws on a variety of subjects were placed on the statute books. Both salaries and fees of public officials were reduced. It is interesting to note, under the new law, what the chief State officers were being paid. The following annual salaries were to be received in quarterly payments: Chancellor of the State, $2,500; Vice Chancellor, $2,000; Circuit Judge, $2,000; Attorney General, $1,200; District Attorney, $750; Secretary of State, $1,200; Auditor of Public Accounts, $1,500; State Treasurer, $1,500; keeper of the capitol, who was also librarian, $500; keeper of the penitentiary, $1,500. The office of reporter for the Superior Court of Chancery was abolished. The act also provided that during the suspension of an officer no salary should be paid to him.

On February 3d an act was passed abolishing the eighth, ninth, tenth and eleventh judicial districts after the succeeding general election, and dividing the State into seven districts for the holding of circuit courts. They were to be held, according to the times specified in the act twice annually in each county. The newly constituted districts were as follows: First, counties of Wilkinson, Adams, Jefferson, Franklin, Amite and Claiborne; Second, Copiah, Pike, Lawrence, Marion, Hancock, Simpson, Covington, Harrison, Smith, Rankin, and Scott counties; Third, Tunica, Coahoma, Bolivar, Washington, Warren, and Hinds; Fourth, Jasper, Newton, Jackson, Jones, Greene, Perry, Wayne, Clark, Lauderdale, Neshoba and Kemper; Fifth, Yazoo, Madison, Holmes, Attala, Winston, Noxubee and Leake; Sixth, Monroe, Lowndes, Oktibbeha, Choctaw, Yalobusha, Tallahatchie, Carroll and Chickasaw; Seventh, De Soto, Marshall, Tippah, Tishomingo, Itawamba, Pontotoc, Lafayette and Panola.

PLANTERS' BANK IN LIQUIDATION

The Planters' Bank and the Mississippi Railroad Company were placed in liquidation by the act of February 23, 1844. Within sixty days after its passage they were to surrender their franchises to the State, after which the Governor was to appoint two commissioners, one of whom was to represent them, who were to wind up the affairs of the corporation (both institutions being under the same management). Provision was to be made for the payment of the State bonds issued on account of the Planters' Bank, as follows: "The $2,000,000 which shall first be collected from the assets of said banks, after the collection of a sufficient amount to discharge the bona fide circulation of said banks, and the bona fide certificates of deposit of the amount thereof in gold or silver, or the notes of said bank, shall, in preference to other creditors, be applied to the extinguishment of the principal and interest of the bonds issued for State stock in said Planters' Bank, or so much thereof as may remain unpaid out of the Sinking Fund, or the assets of the Mississippi Railroad company." The acts contained directions as to how the attorney general and chancellor should proceed against that corporation in case it neglected to surrender its charter and nominate a commissioner. In such case, the Governor was to appoint both commissioners, and should there be a disagreement between them as to the course to be pursued in administering the assets of the institutions in liquidation, the attorney general was to have the final and decisive vote. The penalty for the misappropriation of any funds collected in the processes of liquidation, which included the hypothecating, pledging, or in any other manner placing or putting in circulation any of the notes or effects of said bank or banks, was "imprisonment in the penitentiary not less than five years; and should those persons who have now the control of said banks refuse to obey the provisions of this act, he or they shall likewise be punished by imprisonment in the penitentiary for the like term of years." The language of the act—especially the repeated phrase "said bank or banks"—indicates how complicated were the closely related affairs of the Planters' Bank and the Mississippi Railroad Company. In fact, less than two years before its passage, Joseph S. Leake, of Lowndes County, chairman of a legislative committee appointed to investigate the State repudiation

of debts, reported that his committee had been able to discover but one act of bad faith by the State government of Mississippi, "that is the act of transferring the State stock in the Planters' Bank of Mississippi to the Natchez (Mississippi) Railroad Company. By the charter of the Planters' Bank, the State stock, with the dividends, was pledged for the redemption of the Planters' Bank bonds and the accruing interest, and by the act of transfer, above alluded to, the faith of the State was shamefully violated."

STATUTE OF LIMITATIONS PASSED

A statute of limitations was passed February 24, 1844, applying first to real property. Right of action was limited to seven years after that date, minors, insane or prisoners being excepted. Ten years' possession constituted a full and complete title to ownership, and persons laboring under any of the disabilities mentioned must commence suit within ten years after the disability was removed. Actions for assault, menace, battery, imprisonment and libel were limited to one year after the causes therefor had accrued; suits for rent and other debt to seven years; suits against sureties of public officers to three years and against executors or administrators, four years. As a rule, the periods of limitation were to run from the date of the passage of the act, but when persons were out of the State against whom it was desired to commence actions (except for the recovery of lands, tenements, hereditaments or leases, for a term of years) suit could be commenced after his or her return to the State, and the time of such person's absence should not be computed as a part of the period limited by the act.

UNIVERSITY OF MISSISSIPPI LOCATED

The location of the University of Mississippi was fixed by the legislature at Oxford, Lafayette County, upon the report of the commissioners appointed under the act of February 20, 1840. The institution was incorporated under that name by the legislature of 1844, act of February 24th. Those appointed in the creative act as trustees were J. Alexander Ventress, John A. Quitman, William L. Sharkey, Alexander M. Clayton, William Y. Gholson, Jacob Thompson, Pryor Lea, Edward C. Wilkinson, James M. Howry, John J. McCaughan, Rev. Francis Hawkes, J.

N. Waddel and A. H. Peques. The trustees were endowed with the usual powers and had entire control of the Seminary fund; their first meeting was held in the following January.

Hon. James Alexander Ventress, who heads the list of trustees, was in several particulars the father of the University. He was a member of the legislature from Wilkinson County for three consecutive terms and in 1842, while speaker of the house, was the author of the bill which finally resulted in the incorporation of the University. Mr. Ventress was not only a well equipped lawyer, but had received an unusual education abroad—at the universities of Edinburgh and Berlin and the Academie de Paris. He was a thorough scholar and a brilliant writer, and his education, experience and temperament fitted him to become not only one of the founders of the University of Mississippi, but one of its builders for nearly a quarter of a century.

Judge James M. Howry, also a member of the first board of trustees that helped to create the University, continued his invaluable services for even a longer period than Mr. Ventress—from 1844 to 1870. During the greater portion of this period he discharged the combined duties of secretary and treasurer. Among other valuable efforts in behalf of the institution Judge Howry has the distinction of establishing as a study in the University curriculum the Evidences of Christianity, or of founding the University on a distinctly Christian basis.

PRESIDENTIAL CAMPAIGN OF 1844

The main issues in the presidential campaign of 1844 were the tariff and the annexation of Texas. Mississippi was mainly interested in Texas and a majority of her people followed the lead of her brilliant senator, Robert J. Walker, and wished it to be admitted to the Union. Van Buren was opposed to annexation and it was understood that he had visited Henry Clay at Ashland, before the meeting of the Democratic convention, and that the two had reached an agreement on the Texas question. When the Democratic convention met at Baltimore on May 27, 1844, Van Buren had secured a majority of its delegates, but was defeated for the presidential nomination when the annexationists adopted the two-thirds rule. James K. Polk received the nomination. He had served in congress for fourteen years, five terms as speaker

of the house, had been governor of Tennessee, was a public man of acknowledged ability and an open advocate of annexation.

Perhaps the strongest plank in the Democratic platform called for the "reoccupation of Oregon and the annexation of Texas." The Whigs had four planks in their platform. "Three were complimentary to Clay and Frelinghuysen, the remaining one summed up tersely the principles of the party—a well-regulated currency, a tariff, the distribution of the proceeds from the sales of public lands, and one term for the presidency. Texas was ignored, but Clay was well understood to be flatly opposed to annexation."

Senator Walker's popularity in Mississippi, with his earnest advocacy of Texas annexation, had much to do with swinging the State for Polk. In the spring of 1844, before the convention of his party met, the people of Mississippi had nominated Walker for vice-president, and the people of Carroll County, Kentucky, asked him to express his views on the admission of Texas. This called out his famous Texas letter which, in a large degree, formed the basis of the policy on which Texas was later admitted. He advocated the admission of Texas as a free State, "as a safety valve for the disposal of negroes who could then work their way over the line into Mexico, where their color would be no bar." Senator Walker was referred to afterward as the "president-maker, the master spirit who dictated and controlled the measures and results of the Baltimore convention."

On the 12th of September, 1844, while the campaign was in full swing, the citizens of Columbus, Mississippi, gave a barbecue in honor of Senator Walker, and Congressman William M. Gwin took occasion in his letter to the committee of invitation to briefly review "some of the measures for the benefit of our State and of the West introduced by Senator Walker, most of which have become laws and all of which Mr. Clay has strenuously opposed." He continued: "He (Clay) is opposed to us on the subjects of the tariff, of the public lands and the annexation of Texas." The greater part of Mr. Gwin's letter is taken up with reference to the settlers on preempted lands, whom Mr. Clay had opposed and called a "lawless rabble;" and he concluded "that there is not a single measure calculated, in my judgment, to promote the welfare of the people of Mississippi and the new states of the West, which Mr. Clay has not uniformly and zealously opposed and Colonel Polk as warmly and constantly advocated and supported."

JEFFERSON DAVIS ENTERS PUBLIC LIFE

Jefferson Davis, of Brierfield, Warren County, who had entered politics the year before as a Democratic candidate for representative of Warren County and had been defeated, had served as a delegate to the Democratic State convention of 1844. His forceful speech in favor of instructing the delegates to support John C. Calhoun as second choice for the presidential nomination made him the unanimous choice of the convention as one of the electors on the Democratic presidential ticket. Henry S. Foote was his associate on the electoral ticket and the two canvassed the State vigorously for Polk. It is said that "Foote was better in combative argument, but Davis excelled him in methodical and eloquent treatment of a subject. Foote is considered to have been rather worsted in his encounters with Judge John I. Guion and General Alexander Bradford, while Davis established a reputation for oratory which was never dimmed thereafter." Reuben Davis, who expresses this opinion in his *Recollections of Mississippi and Mississippians*, in commenting on a speech of Mr. Davis heard at Holly Springs, writes that although there was nothing particularly imposing in his salutation, he seemed to rise, as he spoke, by reason of a certain remarkable ease and eloquence and "expand and etherealize into the very spirit of oratory. It was a delight to listen to his soft and mellow utterances, his lucid argument and poetic fancy. Dignified and commanding, soft and persuasive, his speech was from the beginning to end a finished piece of logic and oratory. He sat down amid rapturous applause." It was largely due to this canvass of Davis and Foote that the State was carried for Polk.

PRENTISS, CLAY'S CHAMPION IN MISSISSIPPI

S. S. Prentiss, one of the greatest orators of his day, was the outstanding opponent of the Democrats in the presidential canvass in Mississippi. In the winter of the preceding year Henry Clay, who had retired from the senate to advance his presidential aspirations in the South, had visited Vicksburg and New Orleans, and Prentiss had invariably presented him to the people with his matchless tact, polish and eloquence. Mr. Prentiss, Clay's first advocate in the South, afterward returned to Washington and

SEARGENT SMITH PRENTISS
From an oil painting in the Mississippi Hall of Fame

made a flying trip to Portland, Boston and other New England cities, where he repeated his triumphs of the recent years. Louisville and New Orleans again were placed under the spell of his eloquence and personality before he was called into the presidential canvass of 1844 as the foremost champion of Clay in Mississippi.

Prentiss' whole-hearted support of Clay is said to have been somewhat neutralized by the great compromiser's position on the question of Texas annexation. Prentiss was nothing if not straightforward; his position on any matter of national import was never misunderstood. But although Clay's opposition to annexation was generally acknowledged, his second letter on the subject, written during the progress of the campaign, was meant to convey the impression that he was not unalterably opposed to the admission of Texas. On the face of it, the letter appeared to curry favor with the South. Prentiss saw the strong trend of sentiment in Mississippi, and Clay's wavering position was so contrary to his loyal temperament and his devotion to his adopted State that a rumor that he would desert the Whig candidate seemed to have had some foundation. This rumor, however, was set at rest by the following letter published in the *Vicksburg Whig* over the signature of S. S. Prentiss in the heat of the controversy:

"I look upon the Whig cause as far more important than the Texas question, and would rather see that cause triumphant and Mr. Clay elected than to witness the annexation to the United States of all the territory between here and Patagonia. I believe the question of annexation, as now presented, to be a mere party question brought forward expressly to operate on the presidential election, and that it ought not to have the slightest influence upon the course or action of any member of the Whig party. Indeed, the ground taken upon it in this quarter, that those who support Mr. Clay are unfavorable to southern institutions and opposed to southern interests, is as insulting as it is false, and should arouse an honest indignation in the breast of every true Whig. * * * And if I should ever turn Locofoco on the question of the immediate annexation of Texas, I will support John Tyler and not James K. Polk."

At the earnest solicitation of Governor James C. Jones, who had twice defeated Polk for the governorship of Tennessee, Pren-

tiss delivered a speech at Nashville, the home of the presidential candidate, in July, 1844. In the midst of his powerful oration he was taken with a stricture of the chest, to which he had become subject on such occasions of exertion and excitement, and fell exhausted into the arms of Governor Jones. Recovering from his painful physical exhaustion, Prentiss resumed his speech and finished it with telling effect.

After resting a fortnight at his Vicksburg home, "Belmont," he again entered the Mississippi canvass, and on September 5th addressed an immense mass meeting of Whigs at Natchez. In that speech he drew a sharp distinction between the old "simon-pure" Democratic party and the new Locofoco party, with its motto "To the victor belongs the spoils," and its radical doctrine of the reduction of all classes to the same level. He claimed that the Locofocos had injured the reputation of Mississippi by adopting repudiation. Prentiss had many friends among the old-time Democrats and endeavored throughout the canvass to gain their support. At that time his remarks were somewhat intemperate, so strong had he become in his advocacy of Clay, and he was charged with attacking the honesty and integrity of the Democratic party as a whole.

Early in October another grand mass-meeting of Whigs was held at Rodney, Jefferson County, a small river town forty miles above Natchez. The president of the meeting was Prosper K. Montgomery, who had served in the legislature with Prentiss in their younger days. Mr. Prentiss had begun his public career in Mississippi in this county and had studied law in the office of Robert J. Walker. Since then Prentiss and Walker had vigorously opposed each other in politics. In his speech at Rodney, Prentiss attacked the position of his old law tutor on the question of Texas annexation. He held in his hand two pamphlets, which had been issued by Senator Walker on the Texas problem. The speaker charged that one of these was intended for the South, showing that the annexation of Texas would strengthen the pro-slavery element, and that the other pamphlet had an addendum addressed to the anti-slavery element of the North. Prentiss exposed the alleged duplicity of the two pamphlets, and dashing the two together exclaimed: "I wonder that, like the acid and alkali, they do not effervesce when they come into contact."

Not long afterward, the orator was taken with his old attack

which had seized him at Nashville and Natchez, but later finished his speech. Whatever the truth of his charges against Walker, the alleged pamphlet for the North was harshly denounced by the Whig press and public men of that section of the country.

The closing address of Prentiss was delivered at the Jackson mass-meeting which continued two days, and is characterized as "hardly describable." But the tide had set in against the Whigs and could not be stayed—even by the convictions and eloquence of a Prentiss.

The general result of the election was that Polk carried the country by a popular vote of 1,329,013, against 1,231,643 for Clay, and 66,304 for Birney, the Liberty candidate. Polk's electoral vote was 170; Clay's, 105. Of the nine distinctively southern states at that time (Florida and Texas were not admitted until 1845), Polk carried all but North Carolina. Of the border states, Kentucky gave Polk a majority of 6,000 less than it had given Harrison, the Whig candidate, four years before, while Tennessee gave Clay a majority of about one hundred votes. In Mississippi, Polk received 25,126 votes, and Clay, 19,206.

It is certain that Clay was defeated for the presidency on the Texas question. One view is that he stood by his convictions against annexation and consistently went down to defeat on the moral ground "I would rather be right than president." Another claim is thus expressed in James E. Walmsley's article on "The Presidential Campaign of 1844 in Mississippi" (see Volume IX, *Publications of the Mississippi Historical Society*):

"Every one is familiar with Mr. Clay's fatal facility in writing letters and making compromises. His second letter on Texas, which was supposed to be intended for the benefit of southern voters, gained him no votes in the South, and aroused such bitter opposition among the abolitionists of New York that they threw away enough votes on Birney, the Liberty candidate, to swing the State from the Whig column, where it normally belonged, into the Democratic line, and thus elect Polk, who carried Pennsylvania on the tariff proposition and had naturally carried a majority of the Southern States on the Texas question."

GOVERNOR BROWN'S REELECTION

The national reinstatement of Democracy, as well as Polk's decisive majority in Mississippi, had its effect on the gubernator-

ial election of 1845, which gave Governor Brown a second term by the largest majority recorded up to that year. His vote was 28,310, as compared with 12,852 received by Thomas Coopwood and 1,633 by Isaac N. Davis. In the following month Texas was admitted to the Union and when Governor Brown again assumed office it was evident that Mexico, which had not acknowledged the independence of that State from her rule, would endanger the peaceful relations of the United States with her government. The frontier disputes were with both Great Britain and Mexico.

In his inaugural address of January, 1846, Governor Brown therefore pleaded for a United States fort on the Mississippi coast, and the legislature responded by passing a resolution asking for such a fortress to be called Fort Constitution. "The feeling is now for a war with England," he said; "a war in which we are to be the greatest sufferers. Yet we are ready for the crisis. Let none doubt our fealty to the general good—let no one say that Mississippi will be unfaithful to the nation's honor—let her but know that her cause is just, and she will march to victory or death."

In his address he recommended to the legislature a State educational organization, a general school fund and the levying of taxes to maintain free schools.

Regarding the still vital topic of repudiation, the Governor said: "If Mississippi was called upon by her constitution to reject the Union Bank bonds that same constitution bids her pay those of the Planters' Bank to the last mill. I will not ask you if it shall be done, because I will not ask you if Mississippi shall be dishonored." Or: "The fairest way to answer the argument that posterity is not bound to pay our debts is to pay them ourselves, and that is just what I recommend." But the legislature, composed largely of men who had had little contact with the public affairs of the State and country and believed that the people had suffered from the misdoings of the monied class, refused to take such advice as the Governor offered. Not only did it withhold the $84,000 which had accumulated for the redemption of the Planters' Bank bonds, but reduced the revenues of the State $75,000 to prevent payment on the obligation to that extent. The sinking fund had reached $800,000 on the books in 1846, but Governor Brown estimated that only about $100,000 of that sum was collectable, besides the $84,000 mentioned.

The chief recommendations made by the Governor besides the redemption of the Planters' Bank bonds were the organization of a common school system and the building of an asylum for the insane.

PROPOSED SYSTEM OF PUBLIC SCHOOLS

On the 4th of March, 1846, the legislature passed an act to establish a system of common schools in Mississippi. Judge Joseph S. B. Thatcher, a highly educated and able Bostonian, who had been elected to the High Court of Errors and Appeals a few years previously, had devised a scheme of popular education which really formed the basis of discussion during the campaign of 1845. Both parties favored the establishment of a popular school system, but differed somewhat in the method of its support. The measure of March, 1846, was the result of this discussion and the Governor's recommendation. Under its provisions, the boards of county police were to appoint a board of school commissioners in each county, the terms of which were for one year. The commissioners were to designate the common schools, license and pay their teachers and otherwise superintend them. With the consent of a majority of the resident heads of families in each township, the county boards of police were to levy a special tax, not exceeding the State tax, for common school purposes. The school fund was also to include all fines and forfeitures and the moneys arising from licenses granted to hawkers, peddlers, keepers of billiard tables and liquor dealers; the act excepting the liquor licenses issued in Natchez, Vicksburg and Yazoo City. The school fund was to be under the control of the county treasurer. The school commissioners had charge of the sixteenth sections in their counties and could not borrow, either directly or indirectly from the school fund. The Secretary of State was ex-officio general School Commissioner of the State and to him the boards of school commissioners of the different counties were accountable. On the day following the passage of the general act to establish a system of popular education, the legislature passed three supplements, excepting from the provision placing the proceeds of various licenses in the general school fund, the Female Academy of Canton, Madison County; the poor fund of the City of Jackson, and the Lexington (Holmes County) Male and Female Academy. Special provision for these institutions and the support of the

poor, as well as the education of poor children in Jackson, had already been made from the moneys arising from this class of licenses.

But the time was not ripe for the establishment of a general system of public schools. In many parts of the State the people were too poor to consent to additional taxation, even for the education of their children, and took advantage of the proviso subsequent to a tax levy, couched in these words: "Provided, the consent of a majority of the resident heads of families in each township shall be filed in writing and recorded in the minutes of said board, before such tax shall be levied on the inhabitants of any such township."

Although John H. Williams, of the State senate, reported a bill for the establishment of a lunatic asylum at Jackson, it failed of passage at this session of the legislature.

A new apportionment of representatives and senators was made by act of February 29th. It was to take effect at the following biennial session, and allotted to the State legislature 97 representatives and 32 senators.

STATE DIVIDED INTO CONGRESSIONAL DISTRICTS

Previous to 1846, representatives in congress from Mississippi were elected from the State at large. On March 4th of that year an act was passed dividing the State into four congressional districts, as follows: First district—Tishomingo, Tippah, Marshall, DeSoto, Panola, Tunica, Lafayette, Pontotoc and Itawamba counties; second district—Monroe, Chickasaw, Yalobusha, Tallahatchie, Coahoma, Bolivar, Sunflower, Carroll, Choctaw, Oktibbeha, Lowndes, and Noxubee; third—Winston, Attala, Holmes, Washington, Issaquena, Yazoo, Madison, Leake, Neshoba, Kemper, Lauderdale, Newton, Scott, Rankin, Hinds and Warren counties; fourth—Clarke, Jasper, Smith, Simpson, Copiah, Claiborne, Jefferson, Adams, Franklin, Lawrence, Covington, Jones, Wayne, Greene, Perry, Marion, Pike, Amite, Wilkinson, Hancock, Harrison and Jackson. The election for representatives to congress was fixed on the first Monday and the day following in November, biennially. It was expressly stated that "nothing in this act shall be so construed as to imply an acknowledgment on the part of this State that congress possesses the constitutional power to com-

mand or direct the legislatures of the respective states to district the same, but that right is hereby positively denied."

A number of measures were enacted protecting the rights of widows and married women and regulating various property matters. One of special interest in these days was an act passed February 18th "to secure to the owners of slaves executed by sentence of law compensation for the same." The compensation fixed was one-half of the value of the condemned to be paid to the owner of the slave, or slaves; such value to be determined by five slave owners who were to be summoned to court by the sheriff of the county in which the criminals were found guilty.

Of broader nature and more historic interest was the consolidation of the several acts relating to the revenue of the State. The tax on lands and slaves was modified—the former made subject to an ad valorem tax of one-fourth of one per cent, and all slaves under sixty years of age were taxed sixty cents each. Lands appropriated to the use of any incorporated college or other seminary of learning, or occupied by any church, schoolhouse, courthouse, jail, public library or incorporated charitable institution, were exempt from taxation.

THE MEXICAN WAR AND MISSISSIPPI POLITICS

The period of the Mexican War covered substantially the second administration of Governor Brown. It did not commence until the end of the regular session of 1846 and peace with Mexico was not concluded until the month after the conclusion of his second term. In April the Mexicans precipitated the war by attacking Taylor opposite Matamoras; in May, Governor Brown advised the militia colonels of Mississippi to enroll their men for hostilities and a few days afterward congress issued the national call for troops to support General Taylor. A week afterward John A. Quitman tendered his services to President Polk, in July was commissioned brigadier general and in August was at the front.

Jefferson Davis, who had taken his seat in congress in December, 1845, about the time that Texas became a State of the Union, made his first speech in the following February on the Oregon boundary question, and in July, 1846, having resigned his seat in the house of representatives, joined the Mississippi Rifles —First Mississippi infantry, at New Orleans. He had been elected colonel of that famous regiment and ranked with General

Quitman in the record which he made in the Mexican War. Davis was severely wounded at Monterey and at Buena Vista, and on the return of his regiment in June, 1847, stood forth as much if not more in the eyes of the people as a hero than did Quitman himself. He had acquired wider military fame and distinction because of his active service on the field of battle, though General Quitman was prominently identified with the war almost to the time of the treaty of peace wih Mexico. The details of Mississippi's part in the war which was of such far-reaching consequences to the South and the Southwest are given in the next chapter.

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CHAPTER XVIII

MISSISSIPPI IN THE WAR WITH MEXICO

FOREIGN COMPLICATIONS THREATENED—TEXAS ADOPTS CONGRESSIONAL RESOLUTIONS—MEXICAN AND AMERICAN ARMIES ADVANCE—MEXICANS OPEN HOSTILITIES—FIRST MISSISSIPPI TROOPS AT THE FRONT—FIRST MISSISSIPPI INFANTRY (MISSISSIPPI RIFLES) ORGANIZE—JOHN A. QUITMAN TO THE FRONT—THE BATTLE OF MONTEREY—BUENA VISTA WON BY THE MISSISSIPPI RIFLES—RETURN OF COLONEL DAVIS AND THE MISSISSIPPI RIFLES—SECOND MISSISSIPPI REGIMENT AND REUBEN DAVIS—BATTALION OF RIFLEMEN, 1847-48—GENERAL QUITMAN'S DISTINGUISHED MILITARY CAREER—MAJOR EARL VAN DORN—A SCHOOL OF PRACTICAL WARFARE.

The presidential elections of 1844 had demonstrated that the strongly prevailing sentiment of the people of the United States favored the annexation of Texas, and the government of the republic formed from the old Mexican province had repeatedly asked admission to the Union. But the government of Mexico refused to acknowledge its independence, claiming that Texas was still a member of its confederation, and became so offensive in its charges against the United States that Wilson Shannon, the American Minister, was recalled to Washington. At the same time the British representative in Texas was endeavoring to induce its government to renounce the contemplated annexation to the United States and maintain its independence under the protection and alliance of Great Britain. As a specific inducement toward that end Texas was promised advantageous commercial treaties with both England and France.

FOREIGN COMPLICATIONS THREATENED

While Great Britain and France were thus urging Texas to maintain its independence as a republic, Mexico threatened an invasion of her former province as a penalty for its annexation to the United States. Captain Elliot, the British *chargé-d'-affaires* in Texas, then went to Mexico to negotiate with General Santa Ana, its president and dictator, for the formulation of "articles preliminary to a treaty of peace between Mexico and Texas."

Finally, at the urgent solicitation of the British minister, Charles Bankhead, and of the French minister, Baron Alleye de Cyprey, the Mexican government consented to recognize the independence of Texas and thereupon enter upon a formal treaty of peace and adjustment of boundaries, upon the condition that she should stipulate to remain independent of all other powers and abandon the proposition of annexation to the United States. The preliminary articles were submitted by the English and French ministers to the Mexican minister of foreign affairs by whom they were laid before the congress of Mexico. They were received favorably by that body in May, 1845, and in the following month laid before the government of Texas, hostilities between Mexico and Texas having ceased during that period.

TEXAS ADOPTS CONGRESSIONAL RESOLUTIONS

On the 21st of June, 1845, however, the Texas congress unanimously adopted and confirmed the joint resolutions passed by the congress of the United States on the preceding March 1st. They provided for the annexation of Texas without the demarcation of any western boundary, or the assumption of the Texas debt by the United States. The latter was to be subsequently liquidated by the proceeds of the public lands. The resolutions were to be ratified by the existing government of Texas prior to January 1, 1846, as a requisite to admission into the Federal Union.

As noted, Texas did not wait until 1846 to sanction the annexation resolutions of the national congress. After their adoption in June, 1845, no time was lost in carrying them into effect, for on the following 4th of July a convention assembled at the town of Austin and, through its delegates, declared the assent of "the sovereign people of Texas to the terms and conditions contained in the joint resolutions of the United States." The ordinance adopted by the convention provided for the ultimate division of the annexed territory into four states besides Texas, those south of the Missouri compromise line to determine for themselves whether they should be slave or nonslave states; in those north of that line (36° 30′) slavery being prohibited.

The convention then proceeded to adopt a State constitution, which was approved by the American congress, and Texas formally admitted as a State on December 29, 1845. The new State

GOVERNOR ALBERT GALLATIN BROWN
From an oil portrait in the Mississippi Hall of Fame

government was organized by the election of a governor and General Assembly.

MEXICAN AND AMERICAN ARMIES ADVANCE

The confirmation of the joint resolutions of the Federal congress by the Texas government in July, 1845, was proof positive that annexation to the United States was assured. About two weeks after the assembling of the constitutional convention at Austin on July 21st, the Mexican president, Santa Ana, speaking for his council of ministers, declared: "From the moment when the supreme government shall know that the department of Texas has annexed itself to the American Union, or that troops from the Union have invaded it, it shall declare the nation at war with the United States of North America."

The movement of Mexican and American troops toward the Rio del Norte during the following eight or nine months is thus described in Monette's *Valley of the Mississippi:*

"Chagrined that all the means put into operation had been unsuccessful in defeating the annexation to the United States, the government of Mexico began to make every demonstration of active hostilities against the United States for the recovery and subjugation of Texas eastward to the Sabine. Great military preparations were made in all the departments subject to the central government, while large bodies of troops were gradually advanced toward Matamoras on the Rio del Norte. Before the middle of August, the advanced detachments of the Mexican army had arrived at Monterey within two hundred and twenty miles of Matamoras, while the declarations of the Mexican government published at and near the City of Mexico asserted that war would be prosecuted vigorously for the recovery of Texas.

"To secure the border inhabitants from the horrors of war and the country from hostile invasion, the convention, on the 7th of August, by a resolution of their body, in the name of the people of Texas, had requested the President of the United States to send troops without delay to the western frontier.

"Under these circumstances, the President, viewing Texas as an integral part of the Union threatened with foreign invasion, caused a portion of the federal troops to concentrate near the western frontier of Texas, as an army of observation and occupancy. Before the middle of August, detachments of mounted

dragoons, infantry and field artillery were advancing into Texas in every direction from the valley of the Mississippi. On the 27th of August, General Taylor from Fort Jessup at the head of about two thousand men, including Colonel Twigg's regiment of dragoons and Major Ringgold's flying artillery, arrived at Corpus Christi on the west side of the Nueces, where his headquarters were established until the middle of March following, when, in obedience to orders from the government, he advanced toward the Rio del Norte. On the 28th they pitched their camp opposite the city of Matamoras, where they erected strong field works, comprising a fortified camp extending nearly three miles along the river."

THE MEXICANS OPEN HOSTILITIES

When the American troops commenced to move toward the Rio Grande in August, 1845, Governor Brown addressed a letter to the Secretary of War, asking a part for Mississippi in "any fight that might be going on." He was informed that no serious difficulty was expected. Later, however, trouble was anticipated and Taylor was sent to the western Texas frontier, where he established a strongly fortified camp opposite Matamoras which was held by a Mexican garrison. On April 23, 1846, while the American commander was still fortifying his position, Mexican troops crossed the river and cut General Taylor's communications. A cavalry reconnoissance was also captured by the Mexicans, who thus opened the war with the United States.

FIRST MISSISSIPPI TROOPS AT THE FRONT

Five days after the Mexicans had crossed the Rio Grande and opened hostilities with the American troops, General Taylor called on Texas and Louisiana for eight volunteer regiments. This was in line with the announced policy of the war department. Without authority from the war department, General E. P. Gaines, commander of the western department of the army, included in his requisition for volunteers two regiments from Mississippi. Gaines' action was afterward repudiated both by Governor Brown and the war department and its author relieved of his command, but not before many eager Mississippians anxious for action at the front had joined "Gaines' army." As no provision had been made for them, they suffered great hardships. But their action

was typical of the spirit of Mississippi men when the government call for troops went forth. As General Quitman wrote the Mississippi congressmen in May, 1846:

"We have been ready from the beginning to raise 5,000 men, but the door is closed to them. We were foremost in the measure of annexation. We regard the present as our own quarrel. We feel strong enough to fight it out; aye, if need be, to carry our eagle to the Pacific. We desire no aid from the abolitionists. The northern states question our strength in war. Then let this war be the test."

The first Mississippians to enlist for service joined Louisiana regiments. They were mostly from Natchez. The first citizens from that place to enlist were Dr. Joseph A. Applewaite, Kemp Sprague, John Stockman, Burrus Wren and James Filmore, who took boat for New Orleans on May 6th. They joined Colonel Dakin's Louisiana regiment, which they accompanied to Mexico and served with for three months.

The Sparrow Volunteers was the name of a company which was recruited at Natchez in the first week of May, with James D. Galbraith as captain and William W. W. Wood and Ezra R. Price as lieutenants. The company received its name in honor of General Sparrow of Concordia Parish, Louisiana. The men crossed the river and on the 20th of May left New Orleans for the front as Company E, Fourth Regiment, Louisiana Volunteers. The entire command was also known as the Montezuma regiment. It was commanded by Col. Horatio Davis, landed on Brazos island, crossed the Rio Grande on the 7th of June and marched to camp near Matamoras. In August, the Sparrow Volunteers were discharged from their three months' service. Lieutenant Price, who had been made adjutant of the regiment, joined Taylor's army and distinguished himself at the battle of Monterey.

A company of Mississippians from Biloxi, commanded by Capt. J. T. Talbot, arrived at New Orleans on May 22nd, under the supposition that the State would be asked to furnish 2,500 men for the war, on May 9, 1846, Governor Brown issued an order to the colonels of militia to enroll twenty-eight companies "ready to march at twenty-four hours' notice." Maj. Gen. John M. Duffield, of the third division, as senior officer of that rank in the State, was appointed drill officer, as provided in the militia law. In line with his duties he was directed to visit the counties

of Warren, Claiborne, Jefferson, Adams, Wilkinson, Amite, Franklin, Copiah, Hinds, Madison, Rankin, Yazoo, Holmes, Carroll and Yalobusha, and by the middle of May the streets of Mississippi towns were alive with men enthusiastically marching and drilling under their officers.

At the beginning of the War with Mexico, the "army and navy of the State of Mississippi" were divided into sixty-eight regiments corresponding to the number of counties. They were assembled into ten brigades, two of which constituted a division. The major generals of the divisions were William L. Brandon (first), Arthur Fox (successor of John A. Quitman, second), John M. Duffield (third), C. F. Hemingway (fourth), John C. Bradford (fifth). Some of the state regiments were fully organized, some partially and some with no returns or organization whatever. Consequently it was no small task to mold the State militia into form for practical service.

On the advice of General Gaines, the Governor also began the organization of a cavalry regiment, but held the horsemen for orders from Taylor or the war department. This was in the face of a great outcry raised by his political opponents, who were playing upon the eagerness of Mississippians to "get into the fight." Later, the chief executive was thanked by the department for his caution and common sense.

Under the congressional act of May 13, 1846, Mississippi's quota of troops for the war was fixed at one regiment of infantrymen or riflemen. When the call arrived from Washington, on the 29th, Governor Brown notified the war department that no troops had been sent from the State by his order and would not be, except on regular authority; adding that he was greatly disappointed to find that only one regiment was assigned to Mississippi. Later he wrote to Secretary Marcy, of the war department. "There is very general dissatisfaction in this State at the smallness of the requisition." * * *

On the first of June, Governor Brown called for ten companies to make up Mississippi's regiment of the 17,000 volunteers provided for by President Polk's proclamation. The companies were to rendezvous at Vicksburg and as the State could not pay for their transportation and subsistence, $30,000 was raised by private subscription for that purpose.

On June 10th the following companies had reported to the

Governor: Vicksburg Southrons, Captain Willis; State Fencibles, Captain McManus; Raymond Fencibles, Captain Downing; Yazoo Volunteers, Captain Sharp; Carroll Volunteers, Captain Howard; Natchez Fencibles, Captain Clay; Claiborne Volunteers, Captain Poore; Tombigbee Volunteers, Captain McClung; Marshall Guards, Captain A. B. Bradford; Pontotoc Rovers, Capt. J. D. Bradford; Lexington Volunteers, Captain Amys; Granada Hornets, Captain Judson; Woodville Volunteers, Captain Cooper; De Soto Volunteers, Captain Labauve; Vicksburg Volunteers, Captain Crump; Lawrence Guards, Captain Delay; Lawrence Volunteers, Captain Williams; Quitman Riflemen, Captain Parkinson; Copiah Volunteers, Captain King; Lauderdale Volunteers, Captain Daniel; Tippah Volunteers, Captain Jackson; Attala Guards, Captain McWillie. Besides these twenty-two companies, the Lexington Volunteers, Woodville Volunteers and Vicksburg Volunteers were entered as alternates for the Yazoo company, Claiborne company and Natchez Fencibles.

By June 10th, the Vicksburg Southrons, State Fencibles of Jackson, Raymond Fencibles, Yazoo Volunteers and Carroll Volunteers had been mustered in at Camp Brown, near Vicksburg. There was a pressure of companies to be admitted, but those were accepted that were first complete and organized. The famous Natchez Fencibles, one of the first to go to Vicksburg, failed to come within this rule by a deficiency of two or three men, and their indignant remonstrations and the retorts of the Governor filled the newspapers for several weeks.

The regiment was completed with the following companies and captains: Company A, Yazoo Volunteers, Capt. John M. Sharp; Company B, Wilkinson Volunteers, Capt. H. Cooper; Company C, Vicksburg Southrons, Capt. John Willis; Company D, Carroll County Volunteers, Capt. Bainbridge D. Howard; Company E, State Fencibles, Hinds County, Capt. John L. McManus; Company F, Lafayette Volunteers, Capt. William Delay; Company G, Raymond Fencibles, Capt. Reuben N. Downing; Company H, Vicksburg Volunteers, Capt. George P. Crump and Capt. John S. Clendenin; Company I, Marshall Guards, Capt. Alexander B. Bradford and Capt. James H. R. Taylor; Company K, Tombigbee Volunteers, Capt. Alexander K. McClung and Capt. William P. Rogers.

FIRST MISSISSIPPI INFANTRY (MISSISSIPPI RIFLES) ORGANIZED

About the middle of June the men of the ten accepted companies balloted for colonel of the regiment. The two leading candidates were Capt. A. B. Bradford, who was supported by the northern counties of the State, and Jefferson Davis. Captain Bradford had been a soldier under Jackson in 1812-15; colonel of a mounted regiment in the Florida Indian campaigns of 1836 and was known as the "hero of Withlacoochee." Jefferson Davis had seen service in the Black Hawk War of 1832 and was now serving in congress. The first ballot resulted in the casting of 913 votes, of which Bradford received 350, Davis 300, R. N. Downing 135, W. L. Brandon 91 and A. G. Bennet 37. Captain Bradford refused to accept an election unless he had a majority of votes over all the candidates and on the second ballot Jefferson Davis was elected colonel by a majority of 147. A. K. McClung, R. E. Downing and Major General Duffield were candidates for lieutenant colonel and McClung was elected on the second ballot. Later, Bradford was elected major of the regiment.

When Jefferson Davis learned at Washington of his election as colonel of the regiment, he insisted that his men be armed with rifles instead of muskets. Some historians claim that his acceptance of the command was dependent upon this action. This position is taken by Cadmus M. Wilcox in his *History of the Mexican War*. Later in life, Mr. Davis himself writes "General Scott endeavored to persuade me not to take more rifles than enough for four companies, and objected particularly to percussion arms as not having been sufficiently tested for the use of troops in the field. Knowing that the Mississippians would have no confidence in the old flint lock muskets, I insisted on being armed with the kind of rifle then recently made at New Haven, Connecticut, the Whitney rifle. From having been first used by the Mississippians, those rifles have always been known as the Mississippi rifles." The regiment also took the name, and its superior equipment, obtained at the insistence of Colonel Davis, undoubtedly had much to do with its efficiency and fame in the field.

Mr. Davis at once resigned his seat in Congress and with his wife returned to his plantation at Brierfield. The latter was

prior to her marriage to Jefferson Davis, in 1845, Miss Varina Howell, of Natchez, the beautiful and brilliant young daughter of William Burr Howell and grand-daughter of Gov. Richard Howell of New Jersey.

The rifles (without bayonets) which Colonel Davis had required were sent by ship to New Orleans and he joined his regiment at that point on July 21, 1846, Lieutenant Colonel McClung having in the meantime been in command. While the regiment was in camp in Louisiana (until July 26th) many of its men were taken sick, some died and a considerable number were sent home as unfit for service.

JOHN A. QUITMAN TO THE FRONT

In the meantime, John A. Quitman, who had been deeply disappointed at his failure to be elected to the United States senate, had, under the most distressing personal grief, offered his military services to the government. As major general of State militia, Governor Brown had acknowledged his right "to have the first command in case of a call," and when the government issued its general call for troops in May, 1846, General Quitman at once started for Washington. Being a political enemy of the administration, his reception by President Polk was anything but encouraging, but his friends, military and otherwise, pressed his claim to prominent recognition, and on July 1st he was commissioned brigadier general. At the time that General Quitman was pressing his claims for a just opportunity to serve his country, he was mourning the death of four children. Having accepted his commission, he was at his desolate home in Natchez on July 28th, writing these words in his diary "I was saddened and depressed and should have felt alone in the world, but the mild spirits of my lost children came to fill my heart. The little group of angels, John, Edward, Mary and Sarah, seemed to gather visibly about me and my mind was soothed with gentle and tranquil visions."

On July 26th, the Mississippi Rifles, under Colonel Davis, had sailed from New Orleans on the steamship *Alabama*, and after a short and uneventful trip landed at Brazos Island, seven miles from Point Isabel, near the mouth of the Rio Grande. Here they joined the Alabama and Georgia regiments, and the Baltimore and Washington battalion, in the formation of the Third brigade,

Second division of General Taylor's army, which was organizing for the advance on Monterey. General Quitman was assigned to the command of this brigade. There were two divisions of the American army—the first, comprising the Ohio, Kentucky and Indiana brigades, under General William O. Butler, and the second, including (besides the Third brigade) the Tennessee brigade and one composed of troops from Illinois and Missouri, under the general command of General Robert Pattison.

THE BATTLE OF MONTEREY

The Mississippi troops and Mississippi officers bore themselves with the utmost gallantry and courage at Monterey, the first important engagement of the war. Quitman's brigade brought up the rear of Taylor's army in the march out of Camargo, which marked the commencement of the continuous advance toward Monterey. It was not until about a month later, on September 21, 1846, that the assault upon the Mexican's interior stronghold commenced. From that date until the formal surrender of the city, three days later, Mississippi men were to the front in every important movement.

To Quitman's brigade was assigned the task of attacking and reducing the fort called the Teneria, perhaps the strongest defense of Monterey. The Mississippi Rifles were to take the lower fort and proceeded to do so. They led the brigade and the report made by Colonel Davis to General Quitman of the first day's fight (September 21st) follows:

"I ordered the Mississippi riflemen to advance obliquely by the left of companies to a line which I established as effectively near to the enemy, and then ordered the battalion into line; the companies being directed when formed to commence firing as in open order. In a few minutes the fire of the enemy had so far diminished as to indicate the propriety of a charge, and being without instructions it was accordingly ordered.

"Lieutenant Colonel McClung sprung before his old company and called on them to follow him. The call was promptly answered. In an instant the whole regiment rushed forward, the flanks converging toward an open embrasure which lay nearly before our center, and it became a contest of speed who first should reach the fort.

"The enemy fled from the rear sally ports as we entered the

GOVERNOR JOHN ANTHONY QUITMAN
From an oil portrait in the Mississippi Hall of Fame

front, leaving behind him his artillery, a considerable number of muskets, his dead and wounded. Passing immediately through the fort we found the enemy flying in disorder, some to a fortified stone building immediately in rear, others across the stream to the fort which stands beyond it. Our pursuit was so close that we reached the gate of the stone building before it was secured and, upon forcing it open, the men inside fled behind the pilasters of the portico and held up their hands in token of submission. An officer offered me his sword and announced the surrender. I received it and retired to select an officer to take charge of the prisoners and receive their arms. Lieutenant Townsend, of Company K, was directed to discharge this duty and the pursuit of the enemy was immediately resumed.

"Leading those who had come up across the ford, we advanced within rifle range of the fort beyond the stream and opened a fire upon such of the enemy as showed themselves above the wall, the intention being to storm the fort as soon as a sufficient number of our regiment came up. In accordance with my instructions and expecting to find the main body of my regiment, I passed up the street to our right with the force just withdrawn across the stream. We soon became mingled with other troops which we found along the wall, and after rallying my command for a forward movement I found it much reduced. Captain Cooper had kept, say twenty of his men together. With these and about ten others of our regiment I advanced until we met with Captain Field of the United States army, who led me to a point where we had discovered a considerable body, probably one hundred of the enemy. On our approach they fled beyond a street which was enfiladed by the fire of a strong party sheltered behind the tete du pont of the principal bridge. Captain Cooper, with the party accompanying us, was posted in an interior building to act as sharpshooters against the men of the tete du pont, until we should be sufficiently reenforced for more offensive operations. After a brief period we were joined by Major Mansfield of the United States engineers with a small party of the First infantry under his command. Whilst the men were resting we reconnoitered the position and decided on a plan of attack.

"At this instant we were joined by General Hamer, with a portion of his brigade, and from him we received orders to retire, as I was afterward informed to give protection to a battery of

artillery threatened by lancers in the rear. In the meantime a few individuals, but no organized portion of my regiment, had joined me and we followed in rear of General Hamer's column. After having proceeded half a mile or more, the enemy's cavalry appeared on our left, and the troops in front began to close and form on a chapparal fence in advance of us. The men under my command had undergone such severe fatigue that their movements were necessarily slow and some of them fell behind. A party of lancers dashed forward and attacked the rear. I ordered the riflemen to face about and return to the relief of our comrades. The movement was readily executed, and though the files were in loose order their effective fire soon drove the enemy back, leaving several dead behind him. Soon after this I was joined by Major Bradford with the portion of the regiment which had served under his orders a great part of the day.

"We were now on the ground where for the third time during the day we had been under the cross fire of the enemy's batteries; when I learned from you the position of another portion of my regiment and received your orders to join and consolidate it. I saw no exhibition of fear, no want of confidence, but on every side the men who stood around me were prompt and willing to execute my orders. I cannot omit to mention the gallant bearing of Lieutenant Colonel McClung. At the storming of the fort he first mounted the parapet and turning to the regiment waived his sword over his head in that position to cheer the men on to further danger. It was my misfortune soon after to lose his services. At the fortified stone building he was dangerously wounded.

"I must also mention Lieutenant Patterson who sprung into the open embrasure as Colonel McClung mounted the parapet and fired the first American piece within the work of the enemy. Captain Downing, in whom is happily combined the qualities of a leader and commander, was severely wounded whilst (among the foremost) cheering his company to the charge, and I felt severely the loss of his services. Corporal Gresham, of Captain Taylor's company, fell near me after we had crossed the stream and were advancing upon the fort beyond it. He had fired his rifle several times and was advancing, firing with exemplary intrepidity, when he fell forward with two wounds and died as he had fought, calmly, silently with his eye upon the foe. Lieutenant

Calhoun attracted my attention by the gallantry with which he exposed himself and the efforts he made to shelter others.

"Next day (22nd) Quitman's brigade, including the Rifles, occupied the fort (Teneria) that the Rifles had taken, exposed to the fire of the citadel, Fort El Diablo and other works, while offensive operations were going on under the direction of General Taylor."

On the morning of the 23rd, Colonel Davis took Company H, Lieutenant Moore, and Company G, Lieutenant Greaves, and two companies of Tennesseeans, out to reconnoitre. Adjutant Griffith having been wounded, Lieutenant Cook volunteered to act in his place. They found El Diablo evacuated, but swept by the Mexican fire so that it was untenable. Company B, Captain Cooper, and Company D, Lieutenant Russell, joined them in the advance. The five companies encountered the enemy at a barricade, which they carried, Colonel Davis narrowly escaping the Mexican balls. They pushed on, driving parties of the enemy from courts, gardens, houses and housetops, until near the plaza, where they found the streets all barricaded and swept by so severe a fire that the adventurous Mississippians halted and set about building a barricade. They intended to hold their position against artillery and musketry, but were recalled. In the return, Lieutenant Howard and others were wounded. In his report of this bold movement, Colonel Davis specially mentioned Captain Cooper, Lieutenants Moore, Russell, Posey, Greaves, Hampton and Cook, Surgeons Seymour and Halsey and Sergeant Major Harlan. Two volunteers, Ezra R. Price, lately lieutenant of the Natchez company of the Fourth Louisiana, and I. R. Smith, of New Orleans, were conspicuous for gallantry.

On the same day (the 23rd) the remainder of the regiment made a sortie into the city under Major Bradford, who reported to his superior: "We carried the street for several hundred yards under a continued shower of grape and canister shot, accompanied with musketry. We took a position in the heart of the town and maintained it firmly for several hours under a most galling fire the whole time, and until we were ordered by the commanding general to draw off, and then retired in good order. The officers with us were Captains Willis and McManus, Lieutenants Patterson, Townsend, Wade, Arthur, Bradford and

Markham, who all behaved with great presence of mind and courage, as did every soldier who accompanied us."

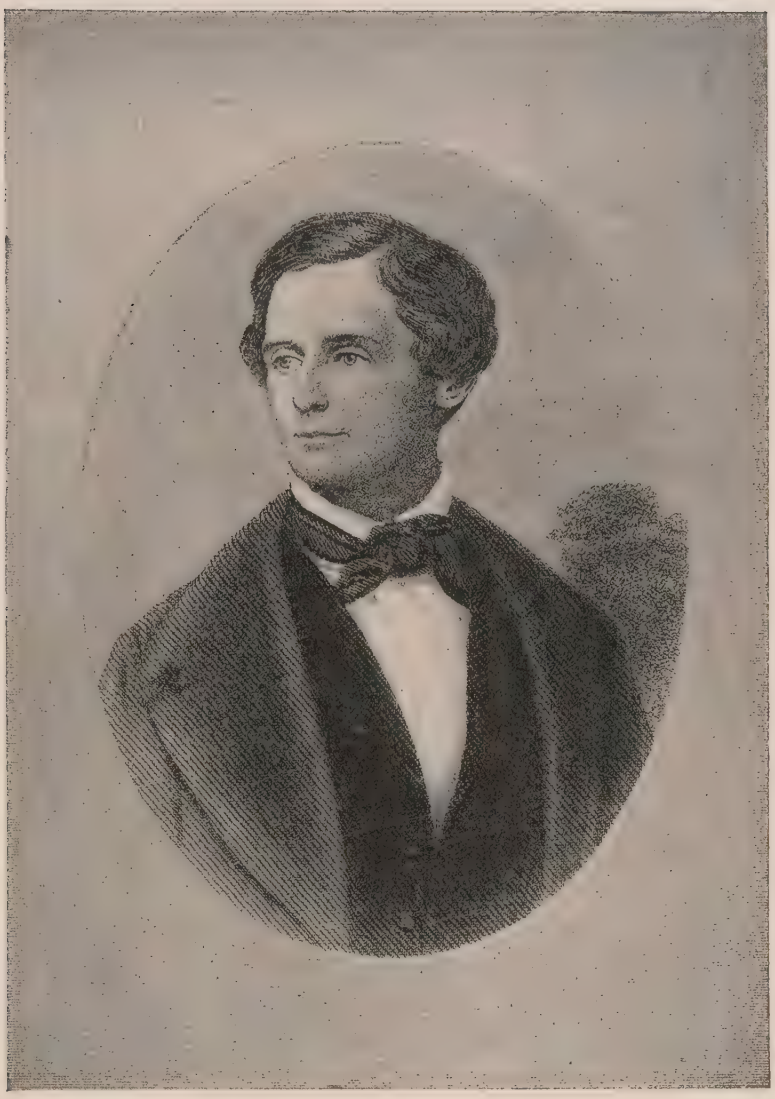
On the following day (September 24th) Monterey was surrendered to General Taylor, Colonel Davis being one of the three American officers who met the Mexicans to arrange terms.

The honor of first entering the Mexican works was claimed by a Tennessee regiment. As Douglas H. Cooper, captain of Company B, once said—it was true that the flag of the Tennesseeans first floated there, but added: "The reason that the Mississippi flag was not the first to wave there, was that they had no flag with them to unfurl. The ladies of Wilkinson would have had the pleasure of knowing that the beautiful colors their fair fingers and generous hearts bestowed upon the Wilkinson Volunteers were the first to throw its broad stripes and bright stars abroad over the blood stained ramparts of the east fort at Monterey, but for the simple fact that it was left in a hurry in the knapsack of a sick volunteer at Ceralvo."

The casualties among the Mississippi troops at Monterey numbered fourteen killed and forty-seven wounded. It was especially noticeable how large a proportion of those in the wounded list were officers. Colonel Davis and Lieutenant Colonel McClung were severely wounded, and Dr. G. W. Ramsey, of Company D, received mortal injuries. The other officers wounded were: Lieutenants H. F. Cook and R. K. Arthur, of Company C; Lieut. L. T. Howard and Sergt. E. W. Hollingsworth, Company D; Sergt. J. H. Langford, Company E; Capt. R. N. Downing, Company G; Sergt. F. A. Wolf, Company I; and Sergt. W. H. Bell, Company K.

BUENA VISTA WON BY THE MISSISSIPPI RIFLES

After the battle of Monterey, the Mississippi Rifles, with other regiments of Taylor's army, went into camp to await developments. While Colonel Davis paid a short visit to his home, Maj. A. B. Bradford was in command of the regiment. General Scott, the commander-in-chief, landed on the Mexican coast with another army and ordered Taylor to coöperate with him in a campaign from Vera Cruz. As the head of the combined American forces, Scott also ordered Quitman's troops into his army, which was being organized for the general advance on Mexico City. Taylor, however, was allowed to retain—for what were then consid-



Jefferson Davis

AT THE AGE OF THIRTY-TWO YEARS

ered unimportant movements against the northern Mexican forces—Bragg's and Washington's batteries and any one regiment which he might select. Taylor's choice was the Mississippi Rifles, and his little army turned northward again toward Saltillo, believing that their days of action and fame were over. The Mississippi regiment, with its supporting artillery, finally encamped at Agua Nueva, eighteen miles from Saltillo, where it was joined by some new regiments from Kentucky, Indiana, Illinois and Arkansas under General Wool. Of these combined forces numbering about 5,000 men only the Mississippians and the artillerymen could be called seasoned troops.

It was good military strategy for the Mexicans to endeavor to crush this comparatively weak American force and compel General Scott to abandon his proposed advance on Mexico City from Vera Cruz. For this purpose General Santa Ana, the ablest of the Mexican military leaders, marched toward Taylor's men with 14,000 effective soldiers. The Mexicans came in touch with the Americans on February 22, 1847. Taylor fell back toward Saltillo and prepared to fight at the pass of La Augustura, a little south of the ranch of Buena Vista from which the battle takes its name. The fighting was in a mountain valley, cut by ravines, and mainly on the eastern hillsides.

On the first day the Mexicans gained a flanking position on the hills, while their cavalry, under the famous Minon, threatened Saltillo in the rear. Taylor took the Mississippi Rifles and May's dragoons back to the town in the night. Two companies, the Tombigbee and Carroll volunteers, were left there in that place of vital importance, when Colonel Davis returned with eight companies to Buena Vista in the morning of the 23rd. Before their arrival the Mexicans had overwhelmed and driven back the left wing of the army. The day seemed lost when Taylor arrived. He sent Davis with his eight companies to meet the enemy coming down the hillside and himself took the dragoons to support the artillery yet holding the pass.

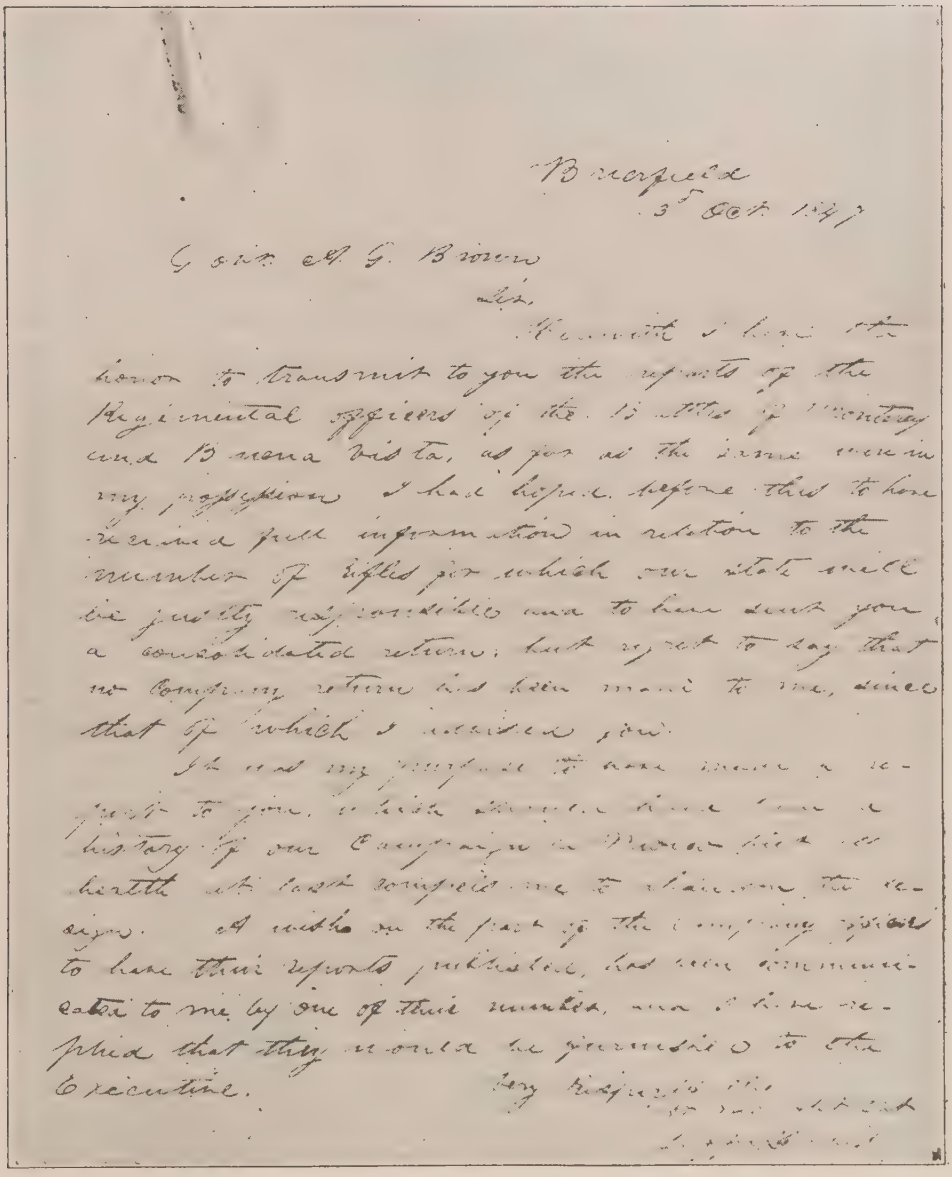
"As we approached the scene of action," Colonel Davis says in his official report, "horsemen, recognized as our troops, were seen running dispersed and confusedly, from the field; and our first view of the line of battle presented the mortifying spectacle of a regiment of infantry flying disorganized from before the enemy. These sights, so well calculated to destroy confidence

and dispirit troops just coming into action, it is my pride and pleasure to believe only nerved the resolution of the regiment I have the honor to command. Our order of march was in column of companies advancing by their centers. The point which had just been abandoned by the regiment alluded to was now taken as our direction. I rode forward to examine the ground upon which we were going to operate and, in passing through the fugitives, appealed to them to return with us and renew the fight, pointing to our regiment as a mass of men behind which they might securely form. With a few honorable exceptions the appeal was as unheeded as the offers which, I am informed, were made by our men to give their canteens of water to those who complained of thirst, on condition that they would go back.

"General Wool was upon the ground, making great efforts to rally the men who had given away. I approached him and asked if he would send another regiment to sustain me in the attack upon the enemy before us. He was alone and after promises of support went in person to send it.

"Upon further examination I found that the slope which we were ascending was intersected by a deep ravine, which, uniting with a still larger one on our right, formed between them a point of land difficult of accession by us but which, spreading into a plain toward the base of the mountain, had easy communication with the main body of the enemy. This position, important from its natural strength, derived a far greater value from the relation it bore to our order of battle and line of communication with the rear. The enemy, in numbers many times greater than ourselves, supported by strong reserves, flanked by cavalry and elated by recent success, was advancing upon it. The moment seemed to me critical, and the occasion to require whatever sacrifice it might cost to check the enemy.

"My regiment having continued to advance was near at hand. I met and formed it rapidly into line of battle. The line then advanced in double-quick time until within the estimated range of our rifles, when it was halted and ordered to fire advancing. The progress of the enemy was checked. We crossed the difficult chasm before us under a galling fire, and in good order renewed the attack upon the other side. The contest was severe—the destruction great upon both sides. We steadily advanced and as the distance was diminished the ratio of loss increased rapidly



Buena Vista
3rd Oct 1847

Gov. A. G. Brown

Sir,

I have the honor to transmit to you the reports of the Regimental officers of the 1st Miss. Regiment and Buena Vista, as far as the same were in my possession. I had hoped before this to have received full information in relation to the number of killed for which our state will be justly responsible and to have sent you a consolidated return; but regret to say that no company return has been made to me, since that of which I enclosed you.

It was my purpose to have made a report to you, which should have been a history of our campaign in Mexico; but ill health at last compels me to relinquish the design. A wish on the part of the company officers to have their reports published, has been communicated to me by one of their number, and I have replied that they would be forwarded to the Executive.

My respects to

FACSIMILE OF LETTER FROM COLONEL JEFFERSON DAVIS TO GOVERNOR A. G. BROWN

against the enemy; he yielded and was driven back upon his reserves. A plain now law behind us—the enemy's cavalry had passed around our right flank, which rested on the main ravine, and gone to our rear. The support I had expected to join us was nowhere to be seen. I therefore ordered the regiment to retire, and went in person to find the cavalry, which, after passing around our right, had been concealed by the inequalities of the ground.

"The regiment was formed again into line of battle behind the first ravine we had crossed; soon after which we were joined upon our left by Lieutenant Kilbourn with a piece of light artillery and Colonel Lane's Third regiment of Indiana volunteers. Lieutenant Kilbourn opened a brisk and very effective fire. The enemy immediately receded; we advanced and he retired to the mountain.

"We occupied the ground where the Mississippi regiment first met the enemy, when a heavy fire was opened upon us by a battery which the enemy had established near the center of his line. Both regiments and artillery fell back. We had proceeded but a short distance when I saw a large body of cavalry debouch from his cover on the left of the position from which we had retired and advance rapidly upon us. The Mississippi regiment was filed to the right and fronted in line across the plain; the Indiana regiment was formed on the bank of the ravine in advance of our right flank, by which a reentering angle was presented to the enemy.

"While this preparation was being made, Sergeant Major Miller was sent to Captain [W. T.] Sherman for one or more pieces of artillery from his battery. The enemy, who was now seen to be a body of richly caparisoned lancers came rapidly forward and in beautiful order—the files and ranks so close as to look like a mass of men and horses. Perfect silence and the greatest steadiness prevailed in both lines of our troops, as they stood at shouldered arms awaiting an attack. Confident of success and anxious to obtain the full advantage of a cross fire at a short distance, I repeatedly called to the men not to shoot. As the enemy approached his speed regularly diminished until, when within eighty or a hundred yards, he had drawn up to a walk and seemed about to halt. A few files fired without orders and both lines then instantly poured in a volley so destructive that the mass yielded to the blow, and the survivors fled. Captain Sherman

having come up with a field piece from his battery, followed their retreat with a very effective fire until they fled beyond the range of our gun.

"Soon after this event a detachment of our artillery and cavalry rode up and I was directed to coöperate with it in an attack upon the enemy at the base of the mountain. We advanced parallel to this detachment until it halted. I then placed my men under such protection as the ground afforded from the constant fire of the enemy's artillery.

"At this time the enemy made his last attack upon the right, and I received the general's orders to march to that portion of the field. After marching two or three hundred yards we saw the enemy's infantry advancing in three lines upon Captain [Braxton] Bragg's battery, which, though entirely unsupported, resolutely held its position and met the attack with a fire worthy of the former achievement of the battery and the reputation of is meritorious commander. We pressed on, climbed the rocky slope of the plain on which this combat occurred, reached its brow so as to take the enemy in flank and reverse when he was about one hundred yards from the battery. Our first fire, raking each of his lines and opening close upon his flank, was eminently destructive. His right gave way and he fled in confusion.

"In this last contest of the day my regiment equalled—it was impossible to exceed—my expectations. Though worn down by many hours of fatigue and thirst, the ranks thinned by our heavy loss in the morning, they yet advanced upon the enemy with the alacrity and eagerness of men fresh to the combat. In every approbatory sense of these remarks I wish to be included a party of Colonel Bowles' (Second) Indiana regiment, which served with us during the greatest part of the day. When hostile demonstrations had ceased, I retired to a tent upon the field for surgical aid, having been wounded by a musket ball when we first went into action."

General Taylor's tribute to the Mississippians and their colonel was as follows: "The Mississippi Riflemen under Colonel Davis were highly conspicuous for gallantry and steadiness and sustained throughout the engagement the reputation of veteran troops. Brought into action against an immensely superior force, they maintained themselves for a long time unsupported and with heavy loss, and held an important part of the field until rein-

forced. Colonel Davis, though severely wounded, remained in the saddle until the close of the action. His distinguished coolness and gallantry and the heavy loss of his regiment on this day entitled him to the particular notice of the government."

In the second, and deciding battle at Buena Vista, the artillery played a prominent part, keeping the enemy in check until General Taylor could throw the Mississippi Rifles, the main factor which gave the Americans ultimate victory, into the fray. In the artillery defense, Capt. Braxton Bragg and Capt. George H. Thomas especially, obtained the warm commendation of their superiors. Sixteen years afterward these young artillery captains had developed into commanders of world fame, and Bragg, in supreme command of a great Southern army, was hurling his forces against the "Rock of Chickamauga." In the last action of Buena Vista during which the Southern captain held the ground for the advance of the Mississippi Rifles, Taylor sent his famous, incisive and decisive order—"A little more grape, Captain Bragg."

Colonel Davis, as was his wont, commended many of his officers for their coolness and bravery in action and their fortitude while suffering with wounds. For instance, Captain J. M. Sharp, of Company A, (grandfather of Senator John Sharp Williams), although shot through both thighs, mounted a horse and continued to lead his command throughout the second battle. Quartermaster Slade mounted his teamsters and others on wagon horses and joined the artillery in a furious sortie that drove the Mexican cavalry from the American camp. These are but two of many instances which might be given illustrative of the determination, endurance, bravery and initiative of those who saved the day for the Americans at Buena Vista.

RETURN OF COLONEL DAVIS AND THE MISSISSIPPI RIFLES

The period of its enlistment having expired, the First regiment returned to the coast and on May 29, 1847, sailed from the Brazos to New Orleans where it arrived on the 9th of June. When the Rifles were mustered into the service they numbered 926 officers and men, but brought back to New Orleans an aggregate of only 376; which indicated a loss, from disease and in battle, of 550 men. The regiment was welcomed with great enthusiasm by the people of that city, whose spokesman was Sergt. S. Prentiss;

for the last time the eloquence of the distinguished Mississippian was enjoyed upon that occasion.

The gallantry of the Mississippi Rifles at Monterey and Buena Vista was the popular topic, and the V formation of the line to meet a cavalry charge, so splendidly demonstrated by Colonel Davis at Buena Vista, was the favorite subject of discussion in military circles throughout the Union. The colonel of the First Mississippi regiment was the outstanding hero of the day, and his reception at Natchez, on June 14, 1847, was an ovation to him and his command, which was a close second to the reception at New Orleans. At Natchez, Adam L. Bingaman, the veteran Whig, delivered the address of welcome. In the course of his speech he referred, in his usually fervid style, to the criticisms which had been leveled at Zachary Taylor for the terms of capitulation which were granted the Mexicans at Monterey. General Quitman, who was in favor of dictating to Santa Ana the harsh terms of a medieval conquerer, led the opposition to Taylor's milder American course, and Colonel Davis had warmly espoused the cause of his father-in-law.

"When the terms of the capitulation at Monterey were assailed," exclaimed Bingaman during his fervid address of welcome, "when reproach was attempted to be cast upon him who is first in honor as the first in place—when a stigma was sought to be fixed upon the hero of the age—on the man of iron will, upon whose sword sits Victory laurel-crowned—whose praise Time with his own eternal voice shall sing—when the eagle of his tribe was hawked by mousing owls—when it was attempted to drug with poison the chalice of congratulation—when the serpent of defamation was cunningly concealed in the chaplet, who, disinterestedly, nobly, in the frank and fearless spirit of a true soldier, generously, manfully and effectively, stood forward in defense of a brother soldier? Who was it that did not only scotch but kill; aye, and sear the reeking fragments of the lurking reptile? Col. Jefferson Davis, of the Mississippi Rifles. Thanks and honor to you, sir, for such noble conduct. Your own conscience approves the act and the voice of a grateful country sanctions and sustains the approval."

In reply, Colonel Davis gratified his audience by generous praise of General Taylor. A speech was also called for from Mc-

"THE BRIARS," NATCHEZ, WHERE JEFFERSON DAVIS WAS MARRIED IN 1845

"STANTON HALL," NATCHEZ

Clung, who shared with Colonel Davis the glory of the part sustained by the Mississippi Rifles in the Mexican War.

The people of Mississippi soon turned to Jefferson Davis, the gallant colonel of the Rifles, for leadership in public affairs. Although born and educated in Kentucky and having spent but little of his time in Mississippi and that in seclusion on his Brierfield plantation he, like S. S. Prentiss and many others who had moved to the State, was warmly attached to it.

During the month previous to his return from the war, Jesse Speight, the newly elected United States senator, died at his home in Lowndes County. Governor Brown was still considering available citizens for that position, when, in August, the Paulding (Jasper County) *Clarion* placed the name of Jefferson Davis at the head of its column as a fitting representative of Mississippi in the upper house of congress. Davis was still on crutches—in fact, could not dispense with them for two years, suffered intensely from his wound for five years and for a much longer period was more or less disabled by the injury. The musket ball had entered his right foot on the side and just below the instep, carrying into the flesh a portion of the spur, which made the wound more painful and serious.

But despite this drawback to his activities, Colonel Davis was one of the strongest and perhaps the most generally popular man in the State, and both Whigs and Democrats united in urging his appointment. As has been seen, Governor Brown acceded to the general request. Davis took his seat in December, 1847, and was afterward elected senator in the Thirty-first congress.

SECOND MISSISSIPPI REGIMENT AND REUBEN DAVIS

Under a second requisition from President Polk, Governor Brown called upon Mississippians for another regiment of volunteers on the 27th of November, 1846, about two months after the battle of Monterey had been fought and won by Taylor's army. The rendezvous of the companies was to be at Vicksburg from January first to fifth, 1847. During December the ten units of the regiment which had been accepted by Governor Brown were as follows: Lowndes Guards, Marshall Relief Guards, Choctaw Volunteers, Monroe Volunteers, Tippah Guards, Lauderdale Volunteers, Thomas Hinds Guards, Panola Boys, Union Grays and Union Company.

On the 24th of December, 1846, the Governor wrote to Secretary of War Marcy:

"On the 12th inst. I wrote you expressing fears that we should find some difficulty in getting up the regiment called from this State. On the 18th I sent you a printed copy of an order accepting seven companies then offered and expressing my confidence that the remaining three companies necessary to complete the regiment would be ready very soon. It now gives me great pleasure to say that the regiment is complete and will be ready to leave Vicksburg for the seat of war by the 8th or 10th of January.

"The regiment is of the very best material and will do as good service as any in the world. It contains judges, generals, legislators, lawyers, doctors, farmers, mechanics and gentlemen of every description. I doubt if the Great Captain, even, ever led a more chivalrous regiment to battle. Allow me to express an earnest hope that the regiment may be taken to that point where there is the hardest fighting. I risk nothing in saying that it will prove an over-match for any three regiments of infantry in the Mexican army."

The Second regiment went into camp at Camp McClung, three miles north of Vicksburg, and on January 12, 1847, Reuben Davis, who had served as brigadier general of the State militia for a number of years, was elected colonel over B. C. Buckley. He was one of the most prominent men in the State. He was both a physician and a lawyer, had been a leader among the Whigs and Democrats of Mississippi, district attorney and justice of the Supreme Court; but, notwithstanding Governor Brown's plea to the war department that his regiment should be sent "where the fighting is hardest," Colonel Reuben Davis was not destined for military fame.

Disease decimated the rank and file of the unfortunate Second Mississippi more effectually than if it had been in many bloody battles. Its record is thus given in the *Military History of Mississippi*, published in the *Mississippi Register of 1908:*

"While at Vicksburg the regiment suffered severely from sickness. Going to New Orleans in January, the men were assigned to tents on the old battle ground, which was soon submerged by heavy rains. According to a letter from Charles Clark (captain of the Thomas Hinds Guards) the regiment lost there

from sickness and death three times as many as the first regiment lost in the battle at Monterey. The bureau officials denied the Mississippians and a Pennsylvania regiment, there at the same time, the use of the barracks.

"*The Vicksburg Sentinel* commenting, said: 'Men thrust out like beasts, without clothing and denied the shelter they saw others enjoying, put to wallow in the mire and exposed to the bitter elements which they felt every moment destroying their lives, were little disposed to obey the restraints of discipline, and the real wonder is not that a few outbreaks were committed by such as flew to the wine cup to forget their sufferings, but rather that the whole regiment, with arms in their hands, did not march and take the buildings they knew belonged to the government, but from which a tyrannical partiality was excluding them.'

"The regiment reached the mouth of the Rio Grande the day of the battle of Buena Vista and ascended to Matamoras, where Colonel Davis was in command of the city. A letter from the seat of war said: 'The Second Mississippi riflemen left Matamoras on the 14th (March) for Monterey. This regiment has suffered awfully. Originally consisting of 850 men, it now numbers 650. They have lost 135 by death and fifty are now sick. The rest are eager for a fight.'

"A list of those who had died prepared by Lieutenant John Martin, dated May 10, 1847, was reprinted from the *Picayune* in the *Natchez Weekly Courier* of June 9, 1847. The following is a summary: Lowndes Guards, 23; Monroe Volunteers, 19; Union Grays, 17; Panola Boys, 21; Marshall Relief Guards, 13; Lauderdale Volunteers, 18; Choctaw Volunteers, 18; Union Company, 12; Tippah Guards, 7; Thomas Hinds Guards, 8. Total, 156. In June the death list was 167, 134 had been discharged and 38 had deserted. Captain Clark returned to Mississippi, in July, to enlist recruits.

"When General Scott moved toward the Mexican capital the Second was advanced to Saltillo and Buena Vista. In a skirmish with Indians near Agua Nueva, Henry Bell of Holmes County, with the Texas Rangers, was killed, and part of the Second was called out, but the enemy had disappeared. Save an occasional alarm, there was now no experience of war.

"The men suffered from smallpox and Mexican diarrhoea. The colonel and lieutenant colonel (J. H. Kilpatrick, formerly of

Marshall Relief Guards), when desperately sick, resigned. Capt. Charles Clark was elected colonel and Lieut. John A. Wilcox, lieutenant colonel. Afterward the remnant of the regiment was encamped near the city of Calderito, not far from Monterey. In April, 1848, the headquarters were at Cedras, 120 miles south of Saltillo.

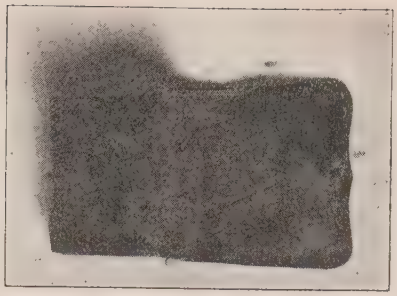
"The Second regiment returned home in the summer of 1848, and was received with a hearty public welcome at Fort Adams, on August 3rd, by the citizens of Wilkinson County." It had not lacked courage but the circumstances that shaped its destiny had been untoward.

BATTALION OF RIFLEMEN, 1847-48

A third requisition for troops to conduct the war resulted in the call for a battalion of five companies issued by Governor Brown on July 29, 1847. The rendezvous was at Vicksburg. Although several companies had already been formed, partly of veterans from the First regiment then disbanded, only one company had reported for service by August 24th. At this time Captain Clark was endeavoring to recruit the ranks of the Second Mississippi, so thinned by disease. The dissatisfaction of Mississippians with the utter disregard of sanitary protection afforded their soldiers at New Orleans and the brusque refusal of the war department to allow them to raise a mounted force for the war, are believed to have caused the apparent apathy for enlistment in the battalion of riflemen. The Chickasaw Heroes were the first to enroll in August. In October the Governor sent out an urgent appeal for enlistment, followed by recruiting agents, but as his campaign for congress was then under way his political opponents made it a point to misrepresent their real functions; recruiting for the battalion therefore languished. Largely through the activity of General Duffield, chief drill officer of the State and in command of the third division of the militia, the battalion was brought to its full strength late in December, 1847. Lieutenant Colonel John A. Anderson was the commander of the battalion, and, like the First and Second regiments, it was equipped with rifles instead of muskets.

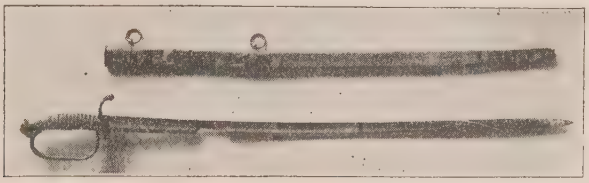
For a number of weeks three of the companies were encamped in a swamp at the rear of the barracks in New Orleans, and several died, while about a third of the total force was confined to

KNAPSACK WORN BY SENATOR JAMES Z. GEORGE AS A SOLDIER IN THE WAR WITH MEXICO

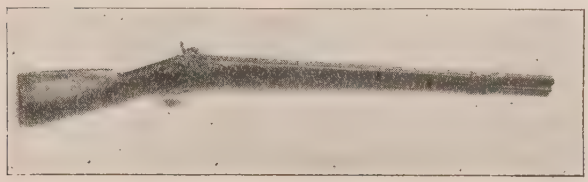


BULLET POUCH WORN BY CHARLES H. GIBBS AT THE BATTLE OF BUENA VISTA

The hole at the upper right-hand corner was made by a Mexican bullet, which was stopped by the heavy metal lining of the box, saving the life of the soldier.

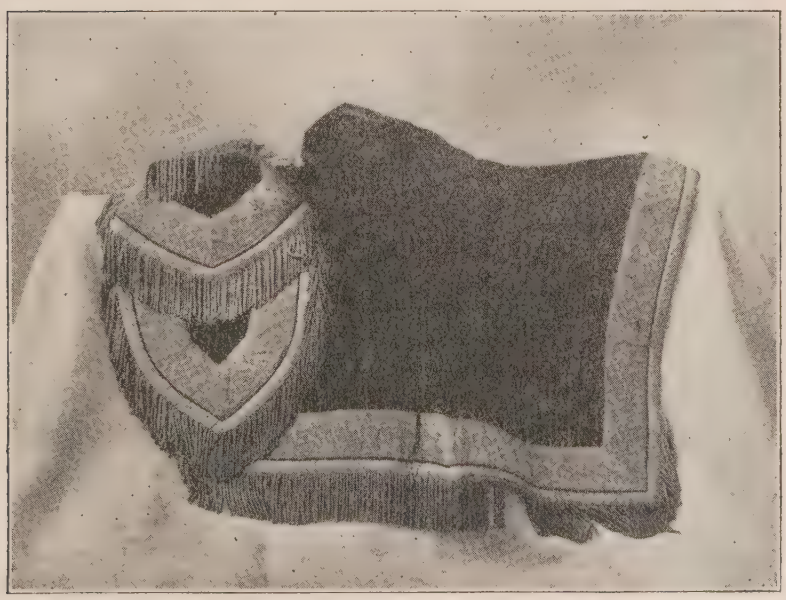


SWORD PRESENTED BY COL. JEFFERSON DAVIS TO JOHN HOLT, A PRIVATE IN THE FIRST MISSISSIPPI VOLUNTEERS, WAR WITH MEXICO, FOR GALLANTRY IN ACTION



THE FAMOUS "MISSISSIPPI RIFLE" WITH WHICH THE FIRST MISSISSIPPI VOLUNTEERS IN THE WAR WITH MEXICO UNDER THE COMMAND OF COL. JEFFERSON DAVIS WERE ARMED

This gun was the first percussion cap weapon used by American soldiers. It superseded the old style flint-lock. Colonel Davis insisted on arming his command with the improved rifle.



SADDLE BLANKET AND BAGS OF GENERAL VALENCIA, A MEXICAN GENERAL, **CAPTURED BY A YOUNG AMERICAN OFFICER** DURING THE WAR WITH MEXICO AND PRESENTED TO GEN. JOHN A. QUITMAN

the hospital, chiefly from attacks of pleurisy, when the other two companies arrived from Mississippi in January, 1848. The entire battalion was then sent to the Mexican coast and, as hostilities had ceased, was stationed at Tampico on guard duty to preserve order. In August, 1848, the men were welcomed at Vicksburg, in behalf of the State, a dinner and appropriate addresses being the main features of the occasion.

Thus though the Second Regiment and the Battalion of riflemen did not win renown on the field of battle, they made heroic sacrifices of their men in the cause for which they were prepared to fight, and were accorded due honors by their fellow-Mississippians.

GENERAL QUITMAN'S DISTINGUISHED MILITARY CAREER

As a great factor in the prosecution of the Mexican War, General Quitman's service extended to a period some time after the actual close of hostilities. A concise, yet complete record of his career, during this epoch of his life, is thus presented in the *Mississippi Official and Statistical Register of 1908:*

"Mississippi's most distinguished representative with General Scott's army was General John A. Quitman. He was more deeply interested in the war than any other of the generals. It had long been his dream and the object of his effort to cause the annexation of Mexico. After the battle of Monterey, where he was distinguished, he welcomed the transfer from Taylor's army to Scott's. On the coast he took part in the siege of Vera Cruz, with Commodore Perry made the Alvarado campaign (in token of which he presented two captured cannons to Mississippi), was voted a sword by congress for his gallantry at Monterey and, being commissioned major general in the regular army, in April, 1847, was next in rank to General Scott, who withheld from him every opportunity of advancement. Finally, when the Mexican capital was reached, he carried the Belen gate, entered the city with his troops and was 'the first to plant the stars and stripes above the halls of the Montezumas.'

"The first raising of the flag in the City of Mexico was afterward the subject of discussion by congress. The Senate Committee on Military Affairs reported that the only flag displayed at the Belen gate was that of the Palmetto regiment, and it was displayed under the personal order of General Quitman. And

in regard to the grand plaza: 'It is undeniable that Captain Roberts, under the immediate orders of General Quitman, was the first to display our national colors from the staff upon the Mexican capitol.' "

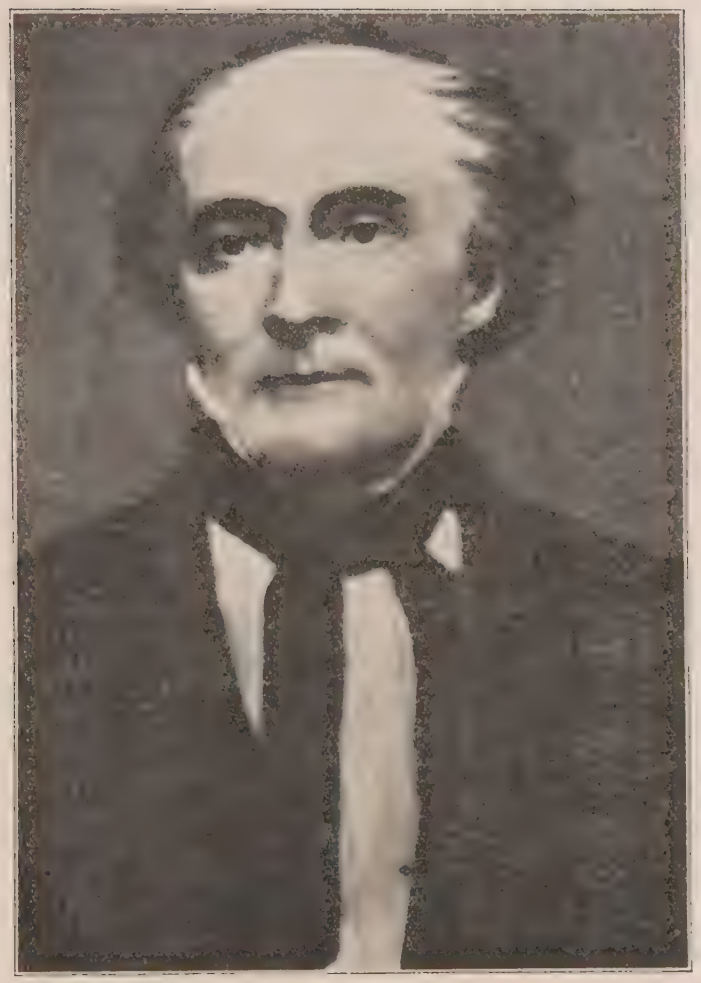
"General Quitman was appointed Governor of the city, of which the *New Orleans Delta* said: 'To gallant Mississippi belongs the honor of giving to Mexico her first American Governor and, we may add, her first wise Governor. General Scott displayed equal judgment and magnanimity in this appointment. General Quitman had had the misfortune to be excluded from the battle of Cerro Gordo and of Contreras. His brave spirit and acknowledged military talents had met with disappointments which no doubt grieved his gallant soul. But, in the closing scenes, he availed himself of the long delayed opportunity and covered himself with glory in the various difficult operations which preceded the occupation of the city.' "

Thus did the beautiful spirits of his loved ones continue to attend him.

"After restoring order," the *Official Register* continues, "he demanded command of a full division of the army, and, not obtaining the same, repaired to Washington and presented plans for the permanent occupation of Mexico. Being offered by the President any position to which his rank entitled him, he asked command of the military district including General Taylor's army. But the treaty of peace ended his military hopes and he was honorably discharged in July, 1848. He held the highest rank attained by any Mississippian of that period in the regular army of the United States."

MAJOR EARL VAN DORN

Another Mississippian who was signally honored, although he did not attain high official rank, was Earl Van Dorn, son of Peter A. Van Dorn, of Port Gibson, Claiborne County. A lieutenant in the Seventh U. S. Infantry, he won promotion to captain and to major for gallantry at Cerro Gordo, Contreras and Churubusco and was wounded at the Belen gate. He was presented a sword by the Mississippi legislature and another was given him by his home people of Claiborne County. With Colonels Jefferson Davis and Alexander K. McClung, he strongly appealed to the affection, as well as the admiration of the people of Mississippi, because



SENATOR ROBERT J. WALKER

of his personal prowess on the battlefield. General Quitman was able and brave, but he led brigades and divisions, while Davis, McClung and Van Dorn were closer to their men and headed their companies and regiments toward the thick of the fight.

A SCHOOL OF PRACTICAL WARFARE

The Mexican War furnished the experience in practical warfare for most of the great generals, North and South, who became famous in the terrific conflicts of the War for Southern Independence. Not a few of those who did not see active service in Mexico, but enlisted in the military bodies attacked so fiercely by disease, in the later and greater conflicts of battle earned rank and fame. For instance, three of the officers who served in the Second Mississippi Rifles and participated in no important engagement on Mexican soil became leading generals in the Confederate army.

Charles Clark, who went to Mexico as captain in the Second regiment and succeeded Reuben Davis as its colonel, was wounded at Shiloh and Baton Rouge while commanding a division.

William Barksdale, commissary for the Second, went to the Confederate front as colonel of a Mississippi regiment and, as a brigadier general, was killed on the heights of Gettysburg.

Thomas C. Hindman, second lieutenant in a company of the Second regiment, entered the Confederate army as colonel of an Arkansas regiment, and finally was promoted to be major general.

General Quitman died before the commencement of the war and Col. Jefferson Davis would undoubtedly have been called to a high military post in the Confederacy, had he not been honored with the supreme position which it was within the power of the South to offer. The First Mississippi Rifles gave several generals to the War for Southern Independence. Capt. Douglass H. Cooper, of Company B, and his first lieutenant, Carnot Posey, became brigadier generals, Posey being killed in battle during one of the Virginia campaigns. Second Lieut. Richard Griffith, of Company C, and adjutant of the regiment, was also killed in Virginia while leading his brigade. First Lieut. Christopher H. Mott, of Company I, entered the Confederate army as a colonel and was a brigadier general when killed at the battle of Williamsburg, Virginia.

Those of higher rank and fame, such as Lee and Grant, Bragg, Sherman and George H. Thomas, Stonewall Jackson and George B. Mead, were first initiated as warriors in the conflict with Mexico.

As has been observed, soon after the return of the Mississippi Rifles from Mexico, Col. Jefferson Davis was permanently launched into politics, on May 1, 1847, having been appointed United States senator by Governor Brown to fill the vacancy caused by the death of Jesse Speight, of Lowndes County, who had served in the upper house of congress since December 1, 1845. On January 11, 1848, the two houses of the legislature adopted the following joint resolution, unanimously: "That in consideration of the distinguished services rendered our common country by the Hon. Jefferson Davis and our unbounded confidence in his ability and integrity, that he be proclaimed by acclamation as senator to the congress of the United States to fill the unexpired term of the Hon. Jesse Speight, deceased."

Alexander K. McClung was nominated by the Whigs as congressman from the second district, and Winfield Scott Featherston, a young lawyer from Houston, was put forward by the Democrats. Colonel McClung, one of the heroes of Monterey and, like Jefferson Davis, a native of Kentucky and educated in her schools, was also a brilliant newspaper man of more mature years than his fellow officer of the Mississippi Rifles. Reuben Davis says of Featherston and McClung in his *Recollections:*

"They were both able stump speakers, fluent and well informed upon the political history of the country, and each could point to a brilliant service on the battlefield. Colonel McClung had been side by side with Col. Jefferson Davis in the splendid charge of the First Mississippi regiment at Monterey and had been severely wounded upon the walls of the fort. This wound had confined him to his room for six months and he pointed to the crutches upon which he leaned as being in themselves sufficient tokens of his claims upon the popular vote, he feeling himself in no wise inferior to Featherston in honesty or intellect. It was manifest that a strong sympathy was everywhere felt for the crippled hero, but this was overcome by the paramount consideration of individual loyalty to party and Featherston was elected. Very possibly it is from this defeat, which he took much to heart, that we may date the first symptoms of that deep melan-

choly which afterward clouded the noble spirit of McClung, and which culminated in the awful tragedy of his self-inflicted death." Featherston's star was just rising. He made a fine congressman, was reelected and a decade afterward entered his career as one of the foremost commanders of the Confederate army.

Before the conclusion of Governor Brown's term as Governor, in the McClung-Featherston campaign, the chief executive was elected as the representative in congress from the fourth district. Jacob Thompson, chosen to represent the first district, was also a Democrat. The only Whig representative elected was Patrick W. Tompkins, of Vicksburg, from the third district.

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CHAPTER XIX

SECTIONAL ISSUES IN MISSISSIPPI

JOSEPH W. MATTHEWS ELECTED GOVERNOR—MATTHEWS ON STATE'S RIGHTS—MANIPULATION OF STATE FINANCES—EDUCATIONAL AND CHARITABLE MEASURES—THE CHOLERA OF 1849—PROMOTION OF CHARITIES—DEMOCRATS AND WHIGS UNITE IN CONVENTION (1849)—MEETINGS OF THE STATE NOMINATING CONVENTIONS—THE CONVENTION OF OCTOBER, 1849—DEMOCRATS CARRY THE GENERAL ELECTION OF 1849—OVERSHADOWING NATIONAL ISSUES—THE CLAY COMPROMISE IN CONGRESS—THE NASHVILLE CONVENTION—CONGRESSIONAL ADOPTION OF THE COMPROMISE—FIGHTING THE COMPROMISE IN MISSISSIPPI—JOHN I. GUION, GOVERNOR AD INTERIM—JAMES WHITFIELD, ANOTHER GOVERNOR AD INTERIM—FOOTE ELECTED GOVERNOR—FINAL STATE POSITION FURTHER DEFINED—THE FOOTE-PETTUS ADMINISTRATION—DEMOCRATS BACK IN POWER.

The period of six years extending from January, 1848, to January, 1854, inclusive, was one of many changes and profound agitations not only in Mississippi but throughout the Union. During that time Mississippi had six Governors, or an average of one annually. One chief executive served his full term and another resigned five days before the expiration of his term.

During this era while the cultural and humanitarian institutions of the Commonwealth were in the process of permanent growth, the social life was one of distinctive charm. The State apparently was becoming substantially prosperous but the sectional issues precipitated largely by the Mexican War were soon so intense and portentous as to overshadow and override all internal matters concerning Mississippi. With California admitted to the Union as a free State in the fall of 1850, what should be done as to the restriction or expansion of slavery in the great undefined southwestern territory which was destined to be absorbed by the United States as a result of the War with Mexico? That was the question which agitated Mississippi, as well as the North and the South, and arrayed the States Rights and the Union parties against each other, especially in the South. Mississippi was particularly concerned on account of the long

GOVERNOR JOSEPH W. MATTHEWS
From an oil portrait in the Mississippi Hall of Fame

and close identification of her people with Texas' struggles and final independence.

JOSEPH W. MATTHEWS ELECTED GOVERNOR

Governor Matthews came to Mississippi from Alabama as a government surveyor engaged in the laying out of the Chickasaw Indian lands. Soon after the New Purchase of 1832 was made, he located as a planter near the now extinct town of Salem, in what is Benton County. He was elected to both houses of the legislature, and when elected Governor, in the fall of 1847, he had been serving in the State senate for two terms. In the militia he held the rank of colonel. Mr. Matthews was a pleasant, popular man and, because of his simple life and manners, was variously known as "Joe Salem," "Joe the Well Digger" and "Old Copperas Breeches." The rise of such men in public life in Mississippi, though it seems paradoxical, is a proof that it was democratic while at the same time aristocratic in its ideals. No sooner than a man had proved himself worthy, she opened her door to him; not that this was always as graciously done as it might have been.

When the Democratic convention met at Jackson on June 7, 1847, the First Mississippi regiment was on its way back from the Mexican battlefields on which it had won so much glory. Colonel Davis and Colonel McClung were returning as wounded heroes, and Maj. A. B. Bradford, also prominent in the Seminole War, who had exposed himself at Monterey and Buena Vista with intrepid bravery, was, to his disappointment and chagrin, sound of body. The citizens of Marshall County presented their hero with a costly sword expressive of their admiration and affection for him, and the Whigs of the State nominated him for their gubernatorial candidate. The Democratic convention nominated Joseph W. Matthews, also of Marshall County. Major Bradford, the Whig candidate, was an able lawyer of Holly Springs, vain and somewhat eccentric, and the result of the campaign showed that the Whigs were weakening before the Democracy that chose for its leader the earnest, plain planter of Salem.

The result of the election was as follows: Joseph W. Matthews, 26,985; A. B. Bradford, 13,997; scattering, 678. Total vote, 41,760, or 1,499 less than that cast in 1845.

MATTHEWS ON STATES RIGHTS

Governor Matthews was inaugurated on the 10th of January, 1848, and his address to the legislature was mainly devoted to the political issues growing out of the War with Mexico. He said, proving that he was in close touch with the policies of Jefferson Davis: "In the constitutional compact between the states it was expressly stipulated that new states might be admitted into the Union upon the same footing with the original states. The prohibition of slavery was not made a condition of the union of the original states; it cannot therefore be made a condition of the admission of new states. So far from the institution of slavery constituting an objection to the union of the original states, it is expressly recognized by the constitution, and guarantees for its protection were incorporated into that instrument; for the states into which fugitives might fly were bound to deliver them to their owners, although slavery might be prohibited by the laws of such states.

"The institution of slavery is a right reserved by the states, and if congress refuses a new state admission into the Union within its limits, such refusal in my judgment will be a flagrant disregard of the injunctions of the constitution, and an abandonment of the compact which, at present, and it may be fondly hoped shall, to the end of time, bind together the states of this glorious Union.

"Our present territory, or that which may be acquired, is and will be, the common property of the United States. To prohibit the citizens of one portion of the Union from inhabiting such territory, without first submitting to a disfranchisement of rights secured to them by the constitution, would be a palpable violation of that clause which provides that 'citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states.' This is a momentous question; one on which is suspended the existence of this happy confederacy. It is useless to evade the question by refusing territorial indemnity from Mexico. It must be met.

"We must know whether the compromises of the constitution are to be respected; whether citizens of the slave states are to be considered as equals with their northern brethren, and whether slavery is regarded as such a crime that they who hold this species

of property are unworthy of an association with the inhabitants of the free states. Experience has proved that no people have ever gained anything by yielding to invasions of their rights, but generally, in the end they lose everything; and while I believe that we should, in reference to this momentous and exciting question, exercise moderation; while I would appeal to the interest, the patriotism and the justice of our brethren of the free states, and entreat them to pause and reflect well before they take a step which must result in consequences appalling to the heart of every patriot; yet I would meet any and all attempts to interfere with, or invade our constitutional rights, with a firmness and decision which should be felt and respected. On this subject they can yield, but we cannot.

"We have no desire to interfere with their domestic institutions, nor can we submit to their interference with ours. We ask not that slavery shall exist in a state in order to its admission into the Union, but that the people of each state shall establish such domestic institutions as they may deem most conducive to their interests and happiness. To prevent the extension of slavery territory would prove the greatest calamity to that portion of the population. If they were liberated they could not remain amongst us. They are prohibited from migrating to most of the free states and denied the right of citizenship, I believe, in all. What then should we do with them? Soon their natural increase would lead, either to their extermination, or to the expulsion of the white race."

MANIPULATION OF STATE FINANCES

In a special message of January 26th, Governor Matthews declared his conviction that "the State is bound by every consideration of good faith, justice and honor to pay" the Planters' Bank bonds, which it was proposed to repudiate. As a means of payment he proposed that "we immediately bring into market the 500,000 acres of land granted by the general government to the State; and we shall receive in payment for the land, gold, silver, auditor's warrants and bonds of the State issued to take stock in the Planters' Bank and the coupons for interest on the same. The amount for which the bonds would sell would, of course, be placed to the debit of the State and to the credit of the internal improvement fund, bearing interest or not, as the

people might choose. Without increasing our taxes one dollar, we would have the splendid sum of $175,000 annually at our disposal to improve our rivers, make railroad and all such other improvements as the people might require."

In the following month the legislature passed an act to carry out the Governor's recommendations. The Secretary of State was appointed the Register for the sale of the half a million acres, the proceeds of which were to liquidate the debt owed by the State to the Planters' Bank. They were to be sold in quarter sections at a minimum price of $6 per acre, commencing January 1, 1849, except that "actual settlers" might enter quarter sections at $2.50 an acre.

The expected financial aid was not realized, as explained by Governor Matthews in January, 1850: "The very short crops of our great staple for the last two years; the extremely low price of the same; the unprecedented overflow of the Mississippi River and the prevalence of cholera, with the inducements to emigration presented by our immense territories westward," had conspired to limit the sales of public lands in Mississippi.

EDUCATIONAL AND CHARITABLE MEASURES

The act of March 4, 1846, which proposed to establish a State system of public schools, had been largely inoperative because of the clause which required the consent of a majority of heads of families in each township before a tax could be levied. On the 4th of March, 1848, an act was passed specifically providing for popular education in the counties of Hinds, Holmes, Tunica, Jefferson, Wilkinson, Lawrence and Amite. In counties destitute of the sixteenth sections, the tax for the common schools should be raised from forfeitures, billiard table licenses and saloon licenses. In the counties specified, the law provided for superintendents and a local tax equal to one-fourth of the State tax. The act of 1846 was repealed and the former laws revived as applied to Lowndes, Yalobusha, Winston, Covington, Jefferson, Neshoba, Scott, Newton, Madison, Bolivar, Carroll, Sunflower, Tallahatchie, Claiborne and Kemper counties. By another act, the "consent" proviso of the law of 1846 was made to apply only to Clarke, Jasper, Lauderdale, Harrison, Hancock and Copiah. Marshall, Adams, Chickasaw, Lafayette and Tippah counties were given a sort of pauper school system. In fact, the legislation of 1848

relating to the common schools constituted an unrelated series of special acts, and destroyed all semblance of a statewide system of popular education.

Besides these pieces of special legislation illustrative of the makeshifts provided for the people of Mississippi in lieu of a general system of education, an act had been passed February 23, 1848, from which the proceeds of the Chickasaw school fund were to be made available to various counties in the northern and northeastern sections of the State. In 1836 congress granted to the State in place of the sixteenth sections in the Chickasaw cession of 1832 for which no provision had been made, one-thirty-sixth of the entire area of the Indian lands for the establishment of the common schools. The amount of land thus donated to the school fund in support of popular education, within the area of the New Purchase, was estimated at 174,500 acres. The act of 1848 noted above was passed by the legislature without authority of congress and the sales were made with only the sanction of the State. Under the provisions of the measure, the Secretary of State was authorized to lease these lands for a period of 99 years, renewable forever, at a price not less than $6 per acre in gold or silver, the proceeds to be a charge upon the State, "to be in trust by said State for the use of schools in the Chickasaw cession." By act of congress, four years later, these sales or leases were ratified, so that the titles were fully secured. The Chickasaw School fund was for many years a welcome source of revenue to the public schools of Mississippi.

THE CHOLERA OF 1849

As usual, the cholera epidemic which swept through sections of the southern and southwestern territory of the United States in 1848 and 1849 originated in ocean ships sailing from New York to New Orleans. Atmospheric conditions have little effect on the spread and progress of the disease, but it is governed by personal sanitation and contact, polluted water, filthy living conditions and stagnant and undrained areas of the country. Such epidemics therefore spread from section to section, country to country, continent to continent, along the most frequented lines of travel. It is estimated that it took sixteen years for the cholera epidemic to travel from India to Great Britain, which appeared in the south during 1832 and 1833; sixteen years later, when communi-

cation between Asia and Europe had been greatly facilitated, the epidemic swept on to continental Europe in about five years.

A marked feature of the cholera which appeared in various sections of the southern United States in 1848 was that most of its victims were negroes. That fact is largely accounted for by the improvements which had been made in the treatment of the disease, and the precautions adopted by the more intelligent whites. The ignorant negroes not only neglected most of the preventive measures but became panic-stricken at the first symptoms of the disease and many of them hid themselves in out-of-the-way places to die unattended. In severe cases, death followed so soon after the attack that a short delay in applying the accepted remedies was invariably fatal.

The first cases in the United States appeared at New Orleans in December, 1848, and within five or six weeks more than 3,000 cholera victims had succumbed. The course taken by the disease from New Orleans as a starting point, with its special manifestations in the river plantations of Mississippi, is thus described in Major William D. Jenkins' article in the Publications of the Mississippi Historical Society (Vol. VII), *The Cholera in 1849:*

"Early in the spring of 1849, the epidemic seemed to take a westerly course, extending through Texas and along the Rio Grande, following the route of travel to the El Dorado, California. Hundreds of emigrants to the gold regions were cut off, and one of the United States regiments of soldiers, the Eighth Infantry, going through Texas to San Antonio, lost 139 men out of 400, their colonel, Major General Worth, falling a victim.

"Its ascent of the Mississippi River was slow, traveling at the rate of about a degree a month. The Tarbert plantation, in Wilkinson County, situated upon the thirty-first degree of north latitude upon the Mississippi River, was visited the last week in March. This place had a high front, but back in the swamp and extending north and south was a great sheet of water. There had also just been cleared up about two hundred acres of land, in part of which the fallen timber was yet lying. In many places water was under the brush and logs. There were also a large number of decaying mattresses in the fields near the 'quarters,' all of which, no doubt, generated an impure air which gave a nidus to the poison of cholera. The steamboats which took cordwood at the landing soon brought the disease to the place, and

CENTRAL ROTUNDA UNDER THE DOME, NEW CAPITOL

before the close of March there were decided cases among the negroes.

"There were two quarters on this plantation (Tarbert); the old quarters, very near the river, and the new or lower quarters, about three-quarters of a mile back from the river. The quarters were all thoroughly cleansed at Christmas, the houses white-washed and all the filth around, under or near them, burned up; the negroes were well clad and their food was sound pork and corn bread, but all this did not ward off a severe mortality, as about thirty of them died in the eight weeks of the continuance of the epidemic at this plantation. There were in all about ninety souls and there were at least ninety cases of the disease, many of these cases, however, being relapses.

"What occurred on other plantations was but a repetition of the epidemic at the Tarbert plantation, with perhaps this exception. When the disease broke out on the Tarbert plantation, there happened to be a good physician on the place prepared for the attack. Had this physician not been present at the time, it is likely that all would have perished. Such was the case in many places along the river where the planter was unprepared. Many in the emergency used and depended upon nostrums and quack remedies, this and that specific; the cholera drops, etc., were merely astringent and anodyne mixtures, checking the disease very likely for a few hours, but as soon as the anoydyne effect was over collapse and death ensued.

"Flatboats drifted in at landings with every soul on board dead. In Stack Island reach, one of the largest planters, Dr. Duncan, of Natchez, lost over 133 hands and the entire crop on his place, where he usually made between 3,000 and 4,000 bales of cotton. Wherever the disease occurred, the loss of a great part of the crop was the consequence.

"The physician on the Tarbert plantation had to watch the negroes at work in the field, as well as nurse and work with the sick; the only chance of recovery was to catch the disease in its incipiency. The patient was first seized with an uneasy feeling about the pit of the stomach, cramp in limbs and headache. He would immediately seek seclusion. In fifteen or twenty minutes he became collapsed, cold as ice, pulseless and dying. In this state, remedies were of little avail, for the patient after lingering a few days died of typhoid fever from excessive debility.

"It is characteristic of negroes to become panic-stricken when a disease breaks out among them, if a few die at the beginning. To avoid going to the hospital for treatment, they would hide in the woods or fence corners. The mortality was greatest under such circumstances, because those taken sick would slip off and be often found in a few minutes in collapse. Soon, however, the cases would multiply, so that it took all of those who were well to nurse the sick, rubbing them and giving remedies. The disease was readily curable if proper remedies were given just at the first moments of attack; fifteen or twenty minutes delay, however, might lose the case.

"During the first two or three weeks the disease readily yielded to appropriate treatment among the adults, but many of the children died. About the middle of April there was a lull or calm and it was hoped it was all over, but a severe frost occurring the 15th of April, followed by heavy rains, caused the disease to break out again. A great many were attacked during this recurrence and a number died, among them several adults."

The medical treatment usually followed in the treatment of the disease was that prescribed by the celebrated Dr. Samuel A. Cartright, of Natchez, who was highly successful as a cholera expert. First 20 grains of calomel, 10 grains of camphor and 10 grains of red pepper were rubbed together into a powder and given with each discharge. At the same time hot mustard foot baths, hot bricks to the feet and mustard plasters over the abdomen and on the thighs and legs were applied, accompanied by rubbings for the alleviation of cramps. If the serious passages stopped and the patient slept for eight or ten hours, brandy was prescribed to keep up his strength. Even at that, recovery was often gradual, complicated by typhoid conditions. In collapse, calomel was considered the only saving remedy.

The great aim of all treatment was to induce sweating. This effected, the internal hemmorrhage stopped. It would not do to wait on calomel alone to act on the liver, as its effects on that organ were not apparent until from four to six hours and the patient might die in half that time. Therefore to bring on rapid perspiration, the necessary treatments included heating, stimulating and antispasmodic medicines, such as pepper, brandy, camphor, peppermint, etc. Calomel was used with them, as the cure was not radical until the liver acted. Above all dangers,

chills were to be avoided, even by those in normal health. Notwithstanding the great danger to which they were exposed during the epidemic, white families attended their slaves in sickness, even delicate women personally supervising the nursing and dieting. In numberless instances a master would sit up half the night with a sick slave, nursing him with the kindest care and compassion. Nor was it because of his material value to him; between them more often than otherwise existed a genuine affection.

PROMOTION OF CHARITIES

At the legislative session which ushered in the Matthews administration several measures were adopted illustrative of the people's desire to come to the relief of the physically and mentally unfortunate in their midst. Through the exertions of James Champlin, a blind philanthropist of Sharon, Mississippi, a private school for the education of the blind was opened at Jackson in March, 1847. It became a State institution by legislative act of March 2, 1848, by which the Governor was to appoint three trustees for a term of two years to manage its affairs. They were to receive all funds for its support, whether donated privately or by the counties or the State, and to apply them to the development of the institution. The trustees also had power to accept from the city authorities of Jackson, land for a site of the institution. The legislature of 1848 appropriated $2,500 toward the enterprise. Thus originated the Blind Institute at Jackson.

For many years one of the perplexing problems of the people of Mississippi was the efficient and humane care of their insane, especially those unfortunates among the poor. The physicians were particularly concerned in the matter. Governor Brown repeatedly urged the legislature to take some steps to relieve the situation which was becoming most critical and, as he proclaimed, a reproach to the State. The wealthy found refuge for their afflicted in other states; but the indigent insane were confined in county jails and in even less reputable retreats and were treated more as animals than human beings. The bill proposing to found a "lunatic asylum" at Jackson failed of passage in 1846, but one was adopted on the 4th of March, 1848, and a lot of five acres in the city was appropriated for the purpose. Also, for the erection of the buildings $10,000 was appropriated, the bricks used in their construction to be made by the labor of penitentiary con-

victs. Provision was made for the appointment of directors and minor executive officials of the asylum. If the friends or relatives of any lunatic going at large should refuse to place the unfortunate in such asylum, it should be the duty of the Probate court to determine his mental condition by jury trial. If the insane person should be possessed of an estate, all expenses of his trial, or support, or both, should be chargeable to said estate, and should he be indigent he should be a county charge. Subsequently, William S. Langley, William Morris, H. Hilzheim, Thomas J. Catchings and C. S. Tarpley were appointed commissioners, sold the donated lot for $700, and purchased the 140 acres comprising the present site of the asylum for $1,750. It was several years before the institution was ready for occupancy. The act of March, 1848, however, founded what is now known as the Insane Hospital—an improvement over the old-time designation, Lunatic Asylum.

DEMOCRATS AND WHIGS UNITE IN CONVENTION (1849)

When John C. Calhoun issued his famous "Address of Southern Delegates in Congress to their Constituents," Mississippi, with the exception of South Carolina, was the only State in the Union whose representatives gave their united support to the Southern movement. While the Whigs generally opposed any such sectional combination as a step toward the dissolution of the Union, Patrick W. Tompkins, the one Whig representative from Mississippi, signed the Calhoun address. He had as a political confrere only one other Whig in the house of representatives.

Senator Foote took an active part in calling the initial meeting of southern members of congress and, with Jefferson Davis, ably supported Calhoun.

In spite of the vehement opposition of the Whigs, both in the committees and in the meetings of the southern members, and of the influence of President Polk, Calhoun's address was adopted in a slightly modified form. But the fact that only 48 of the 110 members of congress from the slave-holding states signed the pronunciamento in January, 1849, is proof that the majority of the representatives from the southern states were not yet convinced that the crisis called for the formation of a southern party. Naturally, the cotton-growing states took the most positive position in regard to the interference of slavery by congress.

As stated by Cleo Hearon in her paper *Mississippi and the Compromise of 1850* (Vol. XIV, Publications of the Mississippi Historical Society):

"The Southern Address is a cautious and moderate statement of the Southern position, for the object of Calhoun in issuing it was to unite in defense of the interests of the South, men of different political parties and of great diversity of opinion as to the course the South should pursue in the crisis facing it. The Address gave an account of the series of aggressions and encroachments on the rights of the South and pointed out the dangers that threatened that section and the whole body politic. It charged the North with violating the constitution in refusing to return fugitive slaves and in withholding from the South equal rights in the territories; denied to congress all jurisdiction over slavery, and warned the people of the slave-holding states that if the North succeeded in excluding them from the territories, the result would be the abolition of slavery by a constitutional enactment and the complete reversal of the relation between the whites and negroes in the South. But as to what should be done—the Address declared that belonged to the people of the South to decide, and recommended only that the South should be united."

The newspapers and political leaders of both parties continued to agitate the Calhoun address for several months before the suggestion of the great Democratic leader was applied to Mississippi. It came to a practical head in a call signed by forty-five leading men of both parties, issued from Jackson and summoning the citizens of Central Mississippi, without political distinction, to meet at the capital and take action on the course to be recommended to congress and state legislatures in regard to the extension of slavery to the newly acquired territories and its existence in the District of Columbia. Another object of the convention, which was called for May 7, 1849, was to ascertain whether Mississippi would coöperate with certain other states to arrest what appeared to be "the fixed determination on the part of the North to assail, if not destroy, the equality, independence and existence of the Southern states."

The meeting was held at Jackson on the day appointed and the central and populous districts of the State were well represented. Governor Matthews was chosen president of the convention, and on motion of Chief Justice William L. Sharkey, one of

the Whig leaders in the State, a committee was appointed to draft an address and resolutions expressive of the purposes of the meeting. The president of the convention appointed Justice Sharkey chairman of the committee, with the following other members: John I. Guion, A. Hutchinson, George S. Yerger, John D. Freeman, William R. Miles, Jefferson Davis, D. C. Glenn, G. W. L. Smith, A. B. Wooldridge, William R. Hill, Caswell R. Clifton, C. S. Tarpley, H. T. Ellett and Charles Scott.

Inasmuch as the address sets forth the position and principles upon which the Democrats and Whigs of Mississippi were united on national issues, it is worthy of somewhat extended mention. It stated that the question of slavery had been revived at every succeeding session of congress with renewed vigor, but that Mississippi fondly hoped, while defending its rights, that the Union might be saved unimpaired, stating also: "We meet not to agitate—not to act, but to prepare for action when the occasion may be forced upon us." State sovereignty was defended and the power of congress denied "to say what is, or is not property in the territories belonging to the people of the United States and to exercise over property in the territories any power detrimental to the unqualified rights of the owners." The address defended slavery as the condition in which the negro was at that early period of his civilization, happiest, and asserted that it was not for the North to determine whether it was a blessing or a curse to the South. It especially commended the course of the Mississippi delegation in congress in defence of State sovereignty and held that it was proper for the whole South to act together for that purpose. The authority of congress over the subject of slavery was positively denied, as well as the legal validity of the Missouri compromise in the extension of its provisions to new territory.

The committee concluded the address by declaring that as it represented but a small portion of the State it did not feel authorized to prescribe the course that should be pursued by Mississippi, for that was a question of sovereignty on which the people of the whole State should speak. Therefore they recommended to the meeting for adoption a series of resolutions requesting the citizens of Mississippi to hold immediately in each county a primary meeting for the choice of delegates to meet in convention at Jackson on the first Monday in October, in order to obtain a

state expression on the pending issue connected with the question of domestic slavery. It was recommended, in order to reach a united sentiment, that the delegates should be divided equally between the Democrats and the Whigs. They were to number twice the membership of the State house of representatives.

MEETINGS OF THE STATE NOMINATING CONVENTIONS

Although Democrats and Whigs were united on the slavery question as a national issue, neither party was willing to sink its State individuality into a great Southern organization. The Whigs were again on the crest of the political wave and Taylor had been placed in the presidential chair. In Mississippi, the Democrats were still in the ascendant, although Lewis Cass, their presidential candidate, had polled only about 600 votes more than Taylor. General Quitman, who shared with Taylor and Scott the commanding honors of the Mexican War, had been considered for the vice presidency at the Baltimore convention of 1848, and at the opening of the gubernatorial campaign of 1849 no other Democratic leader was seriously considered for the nomination.

The Democratic convention met June 18 and 19, 1849. It cordially approved the address and resolutions adopted at the Jackson meeting of the preceding month, and recommended the Democracy of the State to hold the primary meetings to select delegates to the general State convention in October. The convention then unanimously nominated General Quitman for governor.

The Whigs met in July and held what was known as the Mississippi Taylor convention. In their warm defence of President Taylor and their declaration that it was illiberal and unfair for the Democratic press to judge his administration, since it had only been in power a few months, they gave to the convention more of a political character than that which attached to the Democratic convention. Neither did the Whigs simply affirm their support of the sentiments expressed by the convention of May, but adopted quite elaborate resolutions on the "Institution of Slavery." Not only did they deny the power of congress to interfere with slavery, but took the position that it was its duty to protect the South in the enjoyment of its slave property in the territories. They did not seek to promote the sentiment of bitterness and resentment already strong in the State, but they en-

deavored rather to allay all feelings of alarm by expressing the fullest confidence that the Union would be preserved with all the guarantees of the constitution unimpaired.

In fact, the resolutions of both conventions express a veneration for the Union and a desire on the part of the people of the State to cling to it as the greatest safeguard of their rights and their happiness; and clearly show that the southern movement, at its incipiency in Mississippi, was for the protection of southern rights within the Union.

THE CONVENTION OF OCTOBER, 1849

Previous to the meeting of the October convention, the political leaders of Mississippi sought the advice of John C. Calhoun as to the most advisable course to pursue in that gathering. A number of letters passed between the great southern statesman and such public men as Henry S. Foote and Collin S. Tarpley, an eminent lawyer and an ardent Democrat of Hinds County. The tenor of Calhoun's advice was for Mississippi to coöperate for the gathering of a Southern convention, and at its meeting in October to adopt such resolutions as could be placed before the legislature which was to meet later in the fall. Every southern state should be organized with a central committee. South Carolina had already taken the step. Calhoun wrote:

"The great object of a Southern convention should be to put forth in a solemn manner the causes of our grievances in an address to the other states, and to admonish them in a solemn manner as to the consequences which must follow if they should not be redressed, and to take measures preparatory to it, in case they should not be. The call should be addressed to all those who are desirious to save the Union and our institutions and who, in the alternative (should it be forced on us) of submission or dissolution, would prefer the latter. No state could better take the lead in this great conservative movement than yours. It is destined to be the greatest of sufferers if the abolitionists should succeed; and I am not certain but by the time your convention meets, or at furtherest your legislature, that the time will have come to make the call."

The Southern State convention, as it was called, met on the first of October, 1849, at the old capitol. Most of the counties sent delegates and the two great political parties were equally repre-

sented. The movement was not unanimously supported by the people of the State, some being in favor of deferring an expression of opinion until congress had taken action.

Judge George Winchester, one of the oldest and most honored Whigs in the State, was selected as president pro tempore of the convention and Chief Justice William L. Sharkey, as its permanent head. The other officers were Gov. J. W. Matthews, vice president, and J. A. Orr and W. A. Purdom, secretaries. Gen. John A. Quitman and Senator Jefferson Davis were not members of the convention, but were present as honored guests.

When Chief Justice Sharkey took the chair he addressed the convention, and from his speech are taken the following scattered sentences illustrative of the sentiment of the gathering: "The right to hold slaves as property became a fixed principle, inseparable from the other provisions of the constitution. Indeed, that description of property seems to have been thought worthy of specific and special protection. The constitution must exist and harmonize in all its parts. Every principle it contains is inseparably connected. It is an infraction to violate any of them; the symmetry is broken.

"The attempt by congress to prohibit slavery in the territory of California has caused this meeting. That territory is common property. There every citizen of the United States has equal rights. The property of the South consists mostly in slaves, and to interdict its use on our own soil would not only be unjust, but an *arbitrary violation of the constitution.*

"Why is it that we must be deprived of this privilege? Because, say our Northern brethren, slavery is a moral and political evil. Who has the right to determine that it is? *Let them eradicate moral evils from their own land;* we can take care of our own morals.

"Who has a right to say that it is a political evil? We do not find such a doctrine inculcated by the constitution. When we acquired California, it became subject to our constitution—our whole constitution—our constitution as an entire thing. The consequence is that we have a right to take our slaves there, because they are our property, secured to us by the principles of our paramount political law.

"We must take our stand. Let us survey the ground well, and occupy that position on which we can stand within the pale of

the constitution; and, when taken, let us maintain it like men who know their rights and are determined to protect them. We are not the aggressors and if the result should prove disastrous *let the blame rest on those who have provoked the quarrel.*"

The resolutions finally adopted by the convention crystallized the prevailing sentiment of Mississippians, irrespective of party, and an attempt to put forth a more radical statement, proclaiming resistance by the Southern states should California be admitted into the Union as a free state, was withdrawn. In view of the fundamental nature of the resolutions which prevailed as the voice of the convention and the platform of the Mississippi majority, they are quoted, as follows:

1. Resolved, That we continue to entertain a devoted and cherished attachment to the Union, but we desire to have it as it was formed and not as an engine of oppression.

2. That the institution of slavery in the Southern States is left by the constitution exclusively under the control of the states in which it exists as a part of their domestic policy, which they, and they only, have the right to regulate, abolish or perpetuate, as they may severally judge expedient; and that all attempts on the part of congress, or others, to interfere with this subject, either directly or indirectly, are in violation of the constitution, dangerous to the rights and safety of the South, and ought to be promptly resisted.

3. That congress has no power to pass any law abolishing slavery in the District of Columbia, or to prohibit the slave trade between the several states or to prohibit the introduction of slavery into the territories of the United States; and that the passage by congress of any such law would not only be a dangerous violation of the constitution, but would afford evidence of a fixed and deliberate design on the part of that body to interfere with the institution of slavery in the states.

4. That we would regard the passage by congress of the Wilmot proviso (which would, in effect, deprive the citizens of an equal participation in the territories acquired equally by their blood and treasure) as an unjust and insulting discrimination—to which these states cannot, without political degredation, submit; and to which this convention, representing the feelings and opinions of the people of Mississippi, solemnly declare they will not submit.

5. That the passage of the Wilmot proviso, or of any law abolishing slavery in the District of Columbia, by the congress of the United States, would of itself be such a breach of the federal compact as, in that event, will make it the duty, as it is the right of the slaveholding states, to take care of their own safety, and to treat the non-slaveholding states as enemies to the slaveholding states and their domestic institutions.

6. That the legislature is hereby requested to pass such laws as may, in their opinion, be best calculated to encourage the emigration of citizens of the slaveholding states, with slaves, to the new territories of the United States.

7. That, in view of the frequent and increasing evidence of the determination of the people of the non-slaveholding states to disregard the guarantees of the constitution and to agitate the subject of slavery, both in and out of congress, avowedly for the purpose of effecting its abolition in the States; and also in view of the facts set forth in the late "Address of the Southern Members of Congress," this convention proclaims the deliberate conviction that the time has arrived when the Southern States should take counsel together for their common safety; and that a convention of the slaveholding states should be held at Nashville, Tennessee, on the first Monday in June next, to devise and adopt some mode of resistance to these aggressions; and that this convention do appoint twelve delegates and twelve alternates—being double the number of our senators and representatives in congress—to attend such convention, and that the other slaveholding states be invited to appoint delegates agreeably to the same ratio of representatives.

8. In the language of an eminent Northern writer and patriot—"The rights of the South in African service exist not only under but over the Constitution. They existed before the government was formed. The Constitution was rather sanctioned by them than they by the Constitution. Had not that instrument admitted the sovereignty of those rights, it never would have been itself admitted by the South. It bowed in deference to rights older in their date, stronger in their claims and holier in their nature than any other which the Constitution can boast. Those rights may not be changed—even by a change of the Constitution. They are out of reach of the nation, as a nation. The Confederacy may dissolve and the Constitution pass away, but those

rights will remain unshaken—will exist while the South exists—and when they fall, the South will perish with them."

9. That to procure unity and promptness of action in this State, this Convention recommends that a central or state association be formed at the capital, and affiliated county associations within the several counties in the State.

10. That we recommend to the Legislature of this State that at its next session a law be enacted making it the duty of the Governor of the State, by proclamation, to call a general convention of the State and to issue writs of election based upon the ratio of representation in the State Legislature, upon the passage by congress of the Wilmot proviso, or any law abolishing slavery in the District of Columbia, or prohibiting the slave trade between the states, to take into consideration the act of aggression and the mode and measures of redress.

11. That a committee of six be chosen by the convention to prepare an address to the people of the slaveholding states.

Before the convention adjourned, delegates were appointed to represent Mississippi in the Nashville convention, and, besides Justice Sharkey, a committee was named to issue an "Address to the Southern States" consisting of Judge George Winchester, a native of Massachusetts, A. Hutchinson, C. R. Clifton, W. R. Hill, John I. Guion and E. C. Chambers. The last point in the able address received unusual attention as it contained the first formal and authoritative expression from the political leaders of both parties in Mississippi proposing secession as a final resort in defence of slavery and southern rights. It reads thus:

"Besides and beyond a popular convention of Southern States, with the view and the hope of arresting the course of aggression and, if not practicable, then to concentrate the South in will, understanding and action, the convention of Mississippi suggested, as the possible ultimate resort, the call by the legislatures of the assailed states, of still more solemn conventions—such as should be regularly elected by the people of the states—to deliberate, speak and act with all the sovereign power of the people. Should, in the result, such conventions be called and meet, they may lead to a like regularly constituted convention of all the assailed states to provide, in the last resort, for their separate welfare by the formation of a compact and a Union that will afford protection

to their liberties and rights. In such a crisis, in the language of Mr. Madison, 'one spirit will animate and conduct the whole.' "

DEMOCRATS CARRY THE GENERAL ELECTION OF 1849

Gen. John A. Quitman received a large majority over Luke Lea, the Whig candidate for governor. He was a stronger and more prominent man, in every sense of the word, than his opponent, had many admirers among the Whigs because of his fine war record and many votes of the latter were cast for him. In fact, the Whig state convention recognized him as "the gallant soldier, the upright gentleman and an early and unflinching advocate of the payment of the Planters' and Union Bank bonds" and declared that "next to the election of their own nominee, it would hail his election as the best evidence of reform, both in taste and principles, of the Democratic party of the State of Mississippi." Reading between the lines, it was evident that man for man the Whigs were were enthusiastic in their support of General Quitman than of Lea and would vote for their candidate more for political and party reasons than from personal preference. The result of the situation was to elect General Quitman by a vote of 33,117 against 22,996 given to Lea. The total vote was 56,113 as compared with 41,760 cast in 1847.

The Democrats had a large majority in the legislature. In the senate, there were 20 Democrats and 10 Whigs; in the house, 62 Democrats and 36 Whigs.

An entire Democratic delegation was returned to congress. Albert G. Brown, Winfield S. Featherston and Jacob Thompson were reelected and William McWillie succeeded Patrick W. Tompkins, Whig, in the third district.

The general Democratic sentiment over the result of the election was well expressed by the *Mississippi Free Trader*, of November 10, 1849, "which joyously greeted the Democratic victory as a rebuke of the submission of the Whig press and their candidates for congress to the enactment of the Wilmot proviso and their surrender to the Free Soilers. It declared that if Luke Lea and the Whig candidates for congress had been elected, the whole North would have resounded with rejoicing that Mississippi had refused to array herself with the South in defense of her honor and her rights and had declared in favor of abject submission to the will of a ruthless and tyrannical majority; but that

the election of Quitman was a great southern triumph by which Mississippi placed herself 'in bold resistance to the Wilmot proviso and kindred measures, at all hazards and to the last extremity,' and pronounced in tones of thunder her condemnation of the dynasty at Washington and her firm determination to support her rights to the last extremity."

OVERSHADOWING NATIONAL ISSUES

The national issues between the North and the South growing out of the controversy over constitutional rights which involved slavery so overshadowed State matters, during Quitman's administration, as almost to obliterate them. The inauguration of the new governor on January 10, 1850, was quite spectacular, and was calculated to impress Mississippians with his military prominence in the Mexican War. But as the Mississippi delegation in congress, in view of the probable admission of California as a free state during the Thirty-first congress, pressed him for an expression of opinion on the pending issues, both gubernatorial and legislative, he soon turned from the pomp of war to the stirring arena of national politics. Calhoun and other leaders of the South had dwelt upon the natural leadership of Mississippi in the slavery conflict, holding, as the State did, such a commanding central position in the Mississippi Valley among the cotton-raising and slaveholding states.

The first authoritative expression of sentiment to come from Mississippi for the consideration of congress was the speech delivered to the legislature by the retiring Governor, J. W. Matthews, on January 7, 1850. He defended the doctrine that congress was bound to protect property, of whatever kind, in the territories, and continued: "No proposition to my mind is more clear than that the Wilmot proviso and its kindred measures are without even the shadow of constitutional authority on the part of congress; and that a more impolitic, unjust and iniquitous measure was never presented for the consideration of any legislative body. Nothing but an unchastened thirst for power, forgetful of moral and constitutional obligation—a wild fanaticism uncontrolled by reason, or an utter ignorance of the principles of our government, it appears to me, could induce any man, or set of men, to seriously entertain measures so monstrous." But the speaker declared that recent developments had convinced him

that the passage of the Wilmot proviso was not seriously intended. On the other hand he held that the California movement was an indirect application of the Wilmot proviso, and was more abhorrent to the South than that measure, as "to fraud and injustice it added the crimes of hypocrisy and deceit." Governor Matthews also claimed that as the non-slaveholding states had not abided by the terms of the Missouri compromise, the slave states were not bound by it, and that they should never again consent to be restricted in the extension of their institutions in any portion of the territories of the Union. Further, he declared: "Unless we come to this determination and maintain it with unyielding firmness, I am convinced that the days of this glorious Union are numbered. The spirit of fanaticism and aggression will never be stayed by compromise; but it will continue its work of destruction until the sacred ties which have heretofore bound us together in one great and glorious brotherhood shall be rent asunder."

Finally he recommended that, in the event of the adoption of the Wilmot Proviso by congress, the abolition of slavery in the District of Columbia, the prohibition of the commerce in slaves between the states, or—that which the October convention had failed to recommend—"the admission of California into the Union by virtue of her late pretended constitution," the Governor should be authorized to order an election of delegates from all the counties in the State to form a convention, which was to adopt such measures as the crisis might demand.

Governor Quitman, at his inauguration on the 10th, made no specific recommendations as to the course the legislature should pursue in regard to the crisis over constitutional infringement, but defended State sovereignty, proclaiming slavery a constitutional institution. The instigators in congress who were waging a war against slavery could have no other object than "the ultimate destruction of the domestic institutions of the South or the dissolution of the Union." He added that the people of Mississippi "cherish the Union constituted by the wisdom of our fathers; they will defend the constitution, which established and alone maintains that Union, but they have no love or veneration for any other Union than that which is written and defined in the constitution; a violation of one of its agreements annulled all. They are not to be deceived and robbed of their constitutional rights by men who, uttering hollow professions of attachment to

the Union, are deliberately severing the ties that bind us together." The people of Mississippi, he asserted, had taken their stand, and he did not doubt that their representatives would maintain it by providing means to meet every probable contingency.

Elsewhere in his address, Governor Quitman asserted his opposition to the American System and Internal Improvements of Henry Clay. He denied the right of the federal government "to supervise the manufactures or the agriculture of the country, or to take under its charge and control the highways and harbors of our broad land." He was also opposed to the United States bank or any similar use of the national treasury.

Resolutions were adopted by the joint standing committee of the legislature on Federal and State Relations defending slavery; reaffirming the actions of the October convention and appropriating $20,000 to defray the expenses of delegates to the Nashville convention of June, 1850. An additional $200,000 was appropriated to be used, if necessary, in the adoption of measures for protecting the constitutional and sovereign rights of the States, in the event of the passage by congress, and the approval by the President, of any bill containing the Wilmot Proviso, or of any law abolishing slavery in any State, Territory or the District of Columbia, or, in any way interfering with the slave trade. The determination of such measures of protection, in case that congress should enact legislation violating the rights of the South, was left to the Nashville convention. The question as to the admission of California with a constitution opposed to slavery was also left to the decision of that tribunal. A minority report of the Committee on Federal and State Relations, however, composed of Whigs mainly, declared that the people of California had but exercised their right to form their own State constitution and to come into the Union as a free state; which indicated a division in State sentiment over the California issue.

THE CLAY COMPROMISE IN CONGRESS

In February, 1850, Governor Quitman received and transmitted to the legislature a letter from the Mississippi delegation in congress announcing the probability that California would be admitted into the Union as a free state. By a large but not a

unanimous vote the people of that State had adopted a constitution excluding slavery. As the senators and congressmen from Mississippi regarded "the proposition to admit California as a State under the circumstances of her application as an attempt to adopt the Wilmot proviso in another form," they asked for an expression of opinion on the subject from their home constituency. The legislature remonstrated against the admission of California as an anti-slave state, but waited upon the action of the Nashville convention before determining upon the nature of the protest to be taken.

This request of the Mississippi delegation to the legislature was the result of the introduction into congress, on January 29th, of Clay's famous compromise resolutions, designed to close the widening breach between the North and the South. After eight years of absence from the United States senate the great compromiser and statesman from Kentucky presented his plan to that body in a series of resolutions. Finally (April 18th), Clay's plan and all other pending questions growing out of the institution of slavery were referred to a select senatorial committee of thirteen, of which Clay was chairman. The membership of the committee was divided between North and South, Whigs and Democrats. In May the chairman made his report, the recommendations of which he recapitulated as follows:

"The admission of any new state or states formed out of Texas to be postponed until they shall hereafter present themselves to be received into the Union, when it will be the duty of congress fairly and faithfully to execute the compact with Texas by admitting such new state or states.

"The admission forthwith of California into the Union with the boundaries which she had proposed.

"The establishment of territorial governments without the Wilmot proviso for New Mexico and Utah, embracing all the territory recently acquired by the United States from Mexico not contained in the boundaries of California.

"The combination of these two last-mentioned measures in the same bill.

"The establishment of the western and northern boundaries of Texas, and the exclusion from her jurisdiction of all New Mexico, with the grant to Texas of a pecuniary equivalent; and the section for that purpose to be incorporated in a bill admitting

California and establishing territorial governments for Utah and New Mexico.

"More effectual enactments of law to secure the prompt delivery of persons bound to service or labor in one state, under the laws thereof, who escape into another state.

"Abstaining from abolishing slavery; but, under a heavy penalty, prohibiting the slave trade in the District of Columbia."

THE NASHVILLE CONVENTION

When the Southern Convention assembled in Nashivlle, on June 3, 1850, the compromise measures embraced in Clay's plan, which had become known in congress as the Omnibus Bill, was still in the throes of ardent discussion. Jefferson Davis had been elected to a full term in the senate and since the death of Calhoun in March had been the most unflinching opponent of the measure. Senator Foote, his brilliant and high-strung colleague, as a whole supported it. He was not in close association with Calhoun and Davis, and resented their intimacy.

The Mississippi delegates to the convention, who had finally been selected by the legislature in order to give the representation an official character, were as follows: William L. Sharkey, A. M. Clayton, H. T. Ellett, G. T. Sturges, Joseph W. Matthews, T. J. Word, T. N. Waul, J. B. Cobb, H. C. Chambers, E. C. Wilkinson, George Winchester and D. H. Cooper; alternates, John I. Guion, A. Hutchinson, W. R. Cannon, J. T. Harrison, H. R. Miller, D. Bradford, Reuben Davis, Charles B. Shepherd, W. R. Hill, Patrick Sharkey, David Hurst and Henry Mounger.

From the nature of the attendance and the complexion of the membership it was evident that the South was by no means a unit as to its support of the southern movement. Only nine of the slaveholding states were represented, and those not by their full delegations—Virginia, South Carolina, Georgia, Alabama, Mississippi, Texas, Arkansas, Florida and Tennessee. Mississippi was third in the number of delegates which it sent to the conference, and the character of its representation is significant. The delegates who appeared do not seem to have fairly represented the popular sentiment of the states which participated. Every Mississippi delegate appointed by the legislature from the

Democratic party attended, but only three of the Whigs were present.

As head of the Mississippi delegation and presiding officer of the convention, Chief Justice Sharkey was the most prominent Whig and, in some respects, the leading member of the conference. In his opening address he sought to make the preservation of the Union the keynote of the convention and to incline its members to moderation. But the resolutions adopted by the convention reiterated the position of the South on constitutional privileges involving slavery, the interference of congress with the domestic institution as set forth in the proposed erection of territories from the area acquired from Mexico. The convention, as a body, refused to approve the plan of settlement embodied in the report of the congressional committee of thirteen, generally designated as the Clay compromise. Should congress refuse to protect slave property in the projected territories, it was the sense of the convention that "the territories should be treated as property and divided between the sections of the Union, so that the rights and national influence and supremacy of both sections should be adequately secured in their respective shares." This more than the actual question of slavery stirred the minds of leaders.

Though the members of the convention admitted that the course was open to grave objections, they asserted that they were ready to acquiesce in the adoption of the line 36° 30′ north latitude extending to the Pacific ocean as the division between free and slave territory. Although the convention was specifically called to "devise and adopt some mode of resistance" to the aggressions against the rights and future political equality of the South threatened by congress, in view of pending legislation at Washington, the question of resistance was deferred to the second meeting of the convention to be held at Nashville six weeks after the adjournment of congress.

The convention issued an address to the people of the Southern states in which was reiterated the "only compromise the South would accept"—the extension of the Missouri compromise to the Pacific Ocean, with a distinct recognition of the right of the citizens of the Southern States to enter, with their slaves, the territory south of 36° 30′.

CONGRESSIONAL ADOPTION OF THE COMPROMISE

Largely through the determined opposition of Jefferson Davis, who was now the recognized representative of Calhoun in the senate, the Omnibus bill, which proposed to consolidate the compromise measures into one act, was defeated, and the issues which it covered were then taken up separately for adjustment. President Taylor, the unwavering opponent of all compromise, had died in July, and his successor, Fillmore, largely under the domination of Webster, his Secretary of State, rallied, with the full power of the administration, to its support. It is beyond the scope of this history to enter into all the details regarding the passage through congress of all the measures included in the Compromise of 1850. In August, the President's urgent message over the danger of a conflict between the United States and Texas brought about a speedy adjustment of the western boundary of that State. Otherwise it was feared that the slave states would support Texas and precipitate war. Senator Foote voted in favor of the Texas measure; Senator Davis and other southern senators against it. There was even greater opposition against the admission of California as a free state, with its proposed southern boundary. Senator Davis entered into a written agreement with nine southern colleagues in which they declared that they would avail themselves of every means on which a majority of those signing the paper should agree to prevent the admission of California as a state, unless her southern boundary should be reduced to 36° 30′; and that, if California should be admitted with the boundaries prescribed, such admission should be allowed only after the people of California should have assented thereto.

In voicing his opposition to the admission of California, Senator Davis warned his fellow senators that they would thereby destroy permanently the balance of power between the sections of the Union; and at a time when sectional spirit was rife over the land. In the California bill, as it was proposed, he saw nothing in any essential degree differing from the Wilmot Proviso, which the legislature of his State had specially instructed him to resist. The senator concluded:

"Then senators, countrymen, brethren, by these and by other appellations—if there be others more endearing and impressive than these—I call upon you to pause in the course which, pressed

ANTE-BELLUM HOME, COLUMBUS

HOME OF GOV. JOHN I. GUION, AT THE NORTHWEST CORNER OF CAPITOL AND WEST STREETS, JACKSON

by an intemperate zeal, you are pursuing, and warn you, lest blinded by the lust for sectional dominion, you plunge into an abyss in which will lie buried forever the glorious memories of the past, the equally glorious hopes of the future and the immeasurable happiness of our common country. It is not as one who threatens, nor as one who prepares for collision with his enemies but as one who has a right to invoke your fraternal feeling and to guard you against an error which will equally bear on us both; as one who has shared your hopes and your happiness and is about to share your misfortunes, if misfortunes shall befall us. It is as an American citizen that I speak to an American senate—it is in this character that I have ventured to warn you; it is with this feeling that I make my last solemn appeal."

Senator Foote in fervid language thus stated his position: "Thank God, I am no secessionist, no disunionist; and thank God that I am, in one sense, a submissionist. I am, and shall be, I trust, willing to submit to any constitutional enactment adopted by congress that does not amount to gross oppression. And I furthermore say that, in my opinion, it will not only be disgraceful to the South to submit to this enactment, but it will be particularly disgraceful, unpatriotic and unpardonable in any part of the South to utter language of resistance to any such law. I regret very much that California is to come in with these unrestricted boundaries, but I have the consolation to know that it was not from any fault of mine that they were not restricted. I shall vote against the admission of California according to my instructions, as I always intended to do if presented as a separate and distinct measure; but if California be admitted, I shall never counsel resistance and I shall be prepared to rebuke resistance, to denounce secessionists and to make every kind of opposition to those men who shall dare to raise their arms against the government for the purpose of counteracting laws which they admit themselves to be constitutional."

Notwithstanding the opposition, the California bill passed the upper house of congress on August 13, 1850, by a vote of 34 to 18. On the day following its passage, Davis and the other southern senators who had agreed on united action against the California measure signed a protest against it. Naturally, it was opposed by Foote, who, in that movement, acted with the majority led by northern senators.

The admission of California to the Union on September 9, 1850, was the binding measure of the Compromise, and after the adjournment of the congress the Mississippi delegation returned home to agitate the question of its acceptance or rejection as determined by its special effects upon the rights of the South and their own Commonwealth. Governor Quitman stood with the Mississippi delegation as a steadfast opponent of the Compromise.

FIGHTING THE COMPROMISE IN MISSISSIPPI

Not only did the other members of the congressional delegation and the Governor of the State condemn Senator Foote's attitude but the majority of the legislature, in which both Democrats and Whigs were represented, censured his course as not conducive to the best interests of the State. His main pillar of support was William L. Sharkey, who on the 1st of October, 1850, had resigned the chief justiceship of the Supreme Court, was practicing his profession in Jackson and throwing the weight of his experience and reputation in defence of the policy advocated by the conservative Whigs of the South. It was evident that two distinct parties were to be formed in Mississippi, based on the attitude of its people toward the Compromise. The States Rights Democrats and Whigs opposed it and the conservative Whigs and Democrats accepted it. Governor Quitman was instinctively accepted as the leader of the Democracy. Senator Foote led the party dominated by the Whigs who were striving with renewed energy for political control of the State.

Governor Quitman was in close touch with Governor Seabrook of South Carolina and other Democratic leaders of the Southern States and became convinced that it was his duty, as it was his inclination, to place the legislature of Mississippi on record as opposing the obnoxious Compromise. He therefore issued a proclamation calling the legislature in special session on November 18, 1850. Its stated purposes were "that the proper authorities of the State may be enabled to take into consideration the alarming state of our public affairs and, if possible, avert the evils which impend over us; that the State may be placed in an attitude to assert her sovereignty and that the means may be provided to meet any and every emergency which may happen." There is evidence in his letters to the Governor of South Carolina

that Governor Quitman personally believed that there was no effectual remedy for the evils before them but secession.

At the adjourned session of the Nashville convention, which was to convene after the adjournment of congress, were passed resolutions refusing, on the part of the Southern States, to participate in any national convention for the nomination of president or vice president until their constitutional rights were secured; also recommending that the Southern States hold a congress or convention which should have power to arrest further aggression and, if not, "to provide for their future safety and independence."

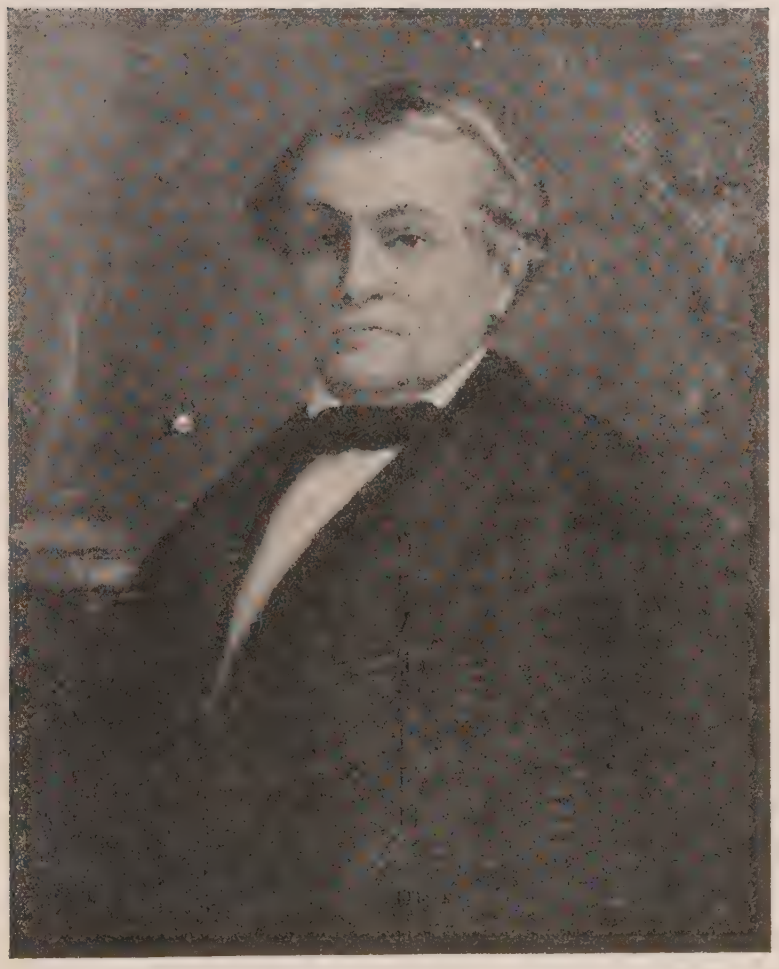
On the day of the adjournment of the second Nashville convention not only did the legislature called by Governor Quitman assemble in the capitol, but a meeting organized by Foote gathered in the city hall. The Governor wrote to his friends that he would recommend to the legislature the calling of a convention looking to secession. His suggestion to that body was not so personal. He recommended that such a convention be empowered "jointly, with other states, or separately, to adopt such measures as may best comport with the dignity and safety of the State, and effectually correct the evils complained of."

Judge Sharkey was made president of the meeting of those who favored the Compromise, which was held within the city hall at the time of the convening of the legislature. It is said that it was attended by 1,500 people and represented both parties, although the Whigs were greatly in the majority. Foote, who was growing very unpopular in the State, was embittered by the cool reception given him by a large number of prominent citizens who had once rallied to his standard, and it has been said that his deep dislike of men who had displaced him in the affections of the people had much to do with his fiery utterances which always seemed to veil some personal grievance. Though an able public official, his sensitiveness and his chagrin at being displaced in the public notice robbed him of his serenity and peace of mind. Foote and his followers to gain public favor christened themselves the Union party, and called a convention of the friends of their cause to be held on the first Monday of May, 1851.

The majority of the legislature supported the policy of resistance to the Compromise, approving the course of Jefferson Davis in congress and censuring that of Foote. It then provided for the

convention, which was the object of the special legislative session. The delegates were to correspond in number with the representatives of the lower house, were to be elected in September, 1851, and assemble in convention on the second Monday in November, following.

The States Rights party may be said to have been organized before the end of 1850. Its nucleus originated in the Southern State Rights associations which had been forming for a number of months in different sections of the State. Their general object, as expressed by the Jackson association organized in July, was "to protect, maintain and defend the *constitutional rights* of the South by all legal and proper means." This became the Central Southern Rights Association, which in December, 1850, appointed a committee to issue a formal address to the people of the State. In that address the Southern Rights party covered the entire slavery contention and suggested a convention which should ask for constitutional amendments protecting and returning to their owners the fugitive slaves of the South and restricting the agitation of slavery in the halls of congress to measures looking to these ends. The right of secession was reaffirmed, although it was not recommended to the people of Mississippi at that time. Governor Quitman, a man of great purpose and strength of character, had studied the situation with the most painstaking care and seeing nothing in it that was just to the South stood openly and firmly by his convictions. While the campaign between the compromise party and the States Rights party was being waged in Mississippi, a contest somewhat similar was progressing in Georgia. In the latter State the party in favor of the compromise carried the convention which was held in December, 1850; and their action undoubtedly had an effect on the campaign in Mississippi. Of more importance, however, in its effect upon the prospects of the States Rights party was the address issued from Washington in February, 1851, by Jacob Thompson, the Democratic congressman, who earnestly advised the people of Mississippi against acting alone, at the same time asserting that "all hope of resistance to the late measure which passed congress to any satisfactory end is gone." Quitman, on the other hand, stood with the South Carolina extremists and favored separate State action rather than submission to the compromise. He did



GOVERNOR JOHN ISAAC GUION
From an oil portrait in the Mississippi Hall of Fame

not, however, yet urge unconditional separation from the Union, or secession.

In the meantime Governor Quitman had become the central figure in what threatened to develop into an international complication with Spain—a complication that was to again arise long years afterwards and involve the American government. Lopez, the leader of the Cuban rebellion for independence, and organizer of expeditions in the gulf coast sections of the United States for the purpose of assisting Cuba, made a private visit to Governor Quitman, in the spring of 1850, and offered him the supreme command of the army of liberation in the great southern island. In view of the political situation at that time the chief executive of Mississippi declined the offer, but with a patriotic fervor similar to that of Lafayette, held out a promise to lead such a movement for Cuban independence under more favorable conditions in the State. Lopez continued his operations in this country in behalf of Cuban independence, his principal headquarters being New Orleans, and it was generally understood, both in Cuba and the United States, that when the time was propitious Quitman would place himself at the head of the revolution. President Fillmore, not aroused to the situation as the country later became in the matter of the liberation of the island, issued two proclamations forbidding the breach of neutrality. In June, 1850, John A. Quitman and John Henderson, a Whig and ex-United States senator, but a close associate of the Governor in all matters connected with Texas annexation and the national absorption of Mexican and Spanish territory, were indicted by the grand jury of the United States court at New Orleans for violating the neutrality law.

"No action was taken immediately on the indictment," says the *Encyclopedia of Mississippi History*, "except that the Attorney General of the United States asked Governor Quitman to decide what course he preferred. The Governor asked delay until his term expired in January, 1852. This was refused. But action was not hurried. After six months he decided that between war with the United States and arrest of the Governor of Mississippi "there remained a middle course for me to pursue consistently with my sense of propriety; that was to lay down my official character before submitting to arrest." Consequently on the 3d of February, 1851, he, with his usual firmness in matters in which

he believed himself to be right, issued a proclamation resigning the office of governor. The charge of a violation of the neutrality law was not pressed against him at this time.

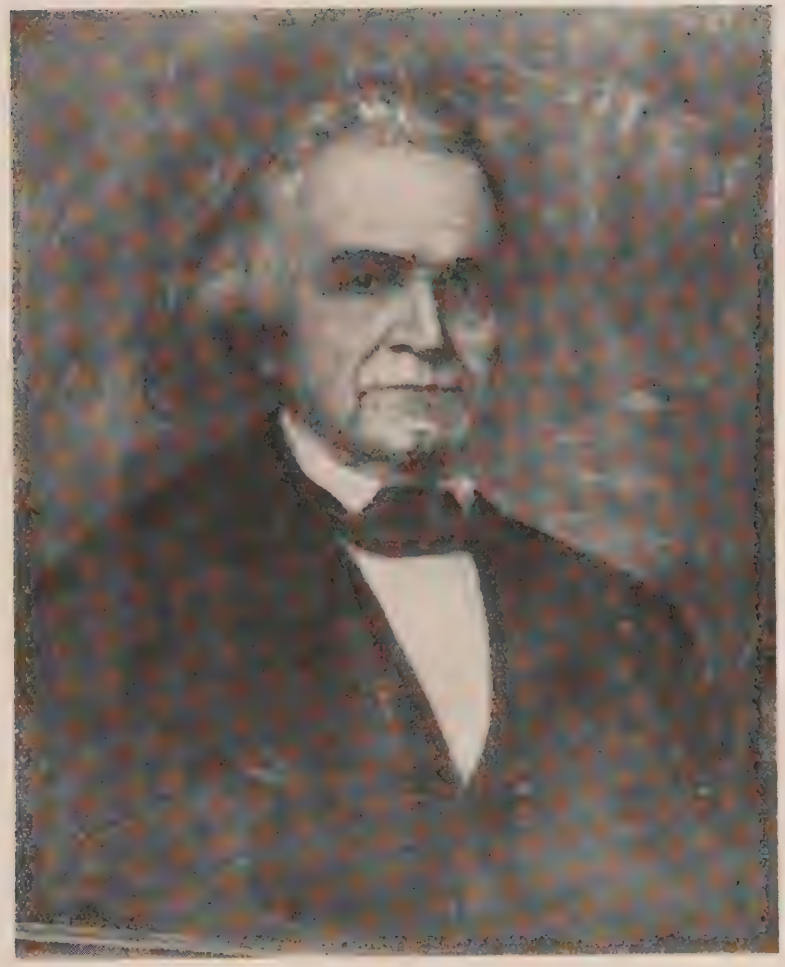
JOHN I. GUION GOVERNOR AD INTERIM

John I. Guion, son of the well known Maj. Isaac Guion, of the Natchez District, was a prominent lawyer and judge and a leading Whig of the State, and, as president *pro tem* of the State senate, became governor at the resignation of Quitman in February, 1851. He performed the duties of chief executive until the expiration of his term as senator on November 4th of that year. As no legislature met during that period he had no occasion to prepare any state papers. At the expiration of his term as governor *ad interim*, Judge Guion ascended the bench of the Circuit Court and held that position at the time of his death, June 26, 1855.

JAMES WHITFIELD, ANOTHER GOVERNOR AD INTERIM

James Whitfield, a planter, merchant and banker of Lowndes County, who had served a number of years in the lower house of the legislature, was elected to the State senate in 1851 and was chosen president of that body on November 24, 1851. Thereupon he became governor *ad interim* of the State, and during the interregnum, since November 4th, there were no legally constituted state officials. The state of affairs during this period is reproduced from the *Encyclopedia of Mississippi History*, which was prepared for the most part from original records.

"At the general election, Nov. 3 and 4, 1851, President Guion's term as a senator expired, also the term of John J. McRae, speaker of the house of representatives. The High Court of Errors and Appeals had decided that 'all officers in this State are elected for limited terms, which expire at the time of the general elections for the respective offices.' Agreeably to this decision, the term of office of Joseph Bell, Secretary of State, had also expired. But he was the only one authorized by the constitution to act and prevent the entire failure of the executive department. There was no constitutional provision authorizing him to hold until his successor was qualified. The Attorney General, and others he consulted, advised him that he could no longer legally act as Secretary of State. There was no governor to commission the newly elected state and county officers, no Secretary of State



GOVERNOR JAMES WHITFIELD
From an oil portrait in the Mississippi Hall of Fame

to convene the senate for the election of a president, no one authorized to receive and open election returns and ascertain who was elected. Secretary Bell subsequently reported to the legislature: 'I was left to choose between two alternatives; to leave the State government to take care of itself, which certainly would have produced much confusion and evil; or assume the responsibility of continuing to act as Secretary of State, in the absence of a governor, and after my term had expired. I did not hesitate to choose the latter, and immediately issued a proclamation, convening the senate for the 24th instant.' He also opened the congressional returns and issued commissions accordingly. This interregnum continued for 21 days. During that time, Bell continued to perform the duties of the Secretary of State, also received and answered the executive correspondence, and performed such other acts, pertaining to the public affairs, as he thought right and necessary. He was in fact, general administrator of the State. It is interesting to note also that Chief Justice Sharkey had resigned in October."

FOOTE ELECTED GOVERNOR

In June, 1851, the Democratic convention had renominated Quitman for governor, and the campaign during the following three months was intense and filled with bitter personalities. In oratory and sharp argument Quitman was no match for Foote, the opposing candidate, who had won his way back into public favor and as the heated canvass progressed it became evident that Quitman would be defeated. About the middle of July, their joint debates were closed by a personal difficulty at Pontotoc.

The election of delegates to the State convention on the first Monday and the day following in September, 1851, resulted in the choice of the Whig candidates in all except eighteen counties, and the party received a majority of more than 7,000 in the State.

Governor Quitman immediately withdrew from the contest, and largely from participation in political affairs for several years thereafter. Notwithstanding the fact that the excitement of the campaign brought out nearly 6,500 less votes than were cast at the regular election of 1849, the result proved to be one of the greatest blows of General Quitman's life. The failure of a large number of the citizens of Mississippi to vote at this election for

delegates was doubtless due to their unwillingness to support either of the two courses then open to them.

Ten days after General Quitman's withdrawal from the contest, the executive committee of the Democratic State Rights party, nominated Jefferson Davis as its candidate for governor. Senator Davis resigned his seat in the United States senate and at once returned to Mississippi to lead his party. As he was ill at the time, he did not participate in the campaign to any extent, but was admired by so many people in the State, irrespective of party, that he nearly reversed the decision of the voters as expressed in the September election. While accepting the results of that election as an expression of the will of the people to acquiesce in the compromise, he continued to counsel the people of Mississippi to oppose further concessions on the questions at issue.

The result of the election, held on the third and fourth of November, was to give Foote a majority of only 999 over Davis. The total vote of 57,719 was divided as follows: Henry S. Foote, 29,358; Jefferson Davis, 28,359.

In the political contests of that day for all the issues at stake, personal popularity at times, which it is admitted could be won and lost in a season, had much to do with securing men public office. Foote, who had been excoriated a short while back by the legislature, was now in supreme official command of the State.

FINAL STATE POSITION FURTHER DEFINED

To finally define the position of Mississippi as a state on the compromise issue, on November 10, 1851, a week after the election, a popular convention of 93 delegates assembled at Jackson. The meeting was called to order by Stephen Adams, a prominent lawyer of Aberdeen, Monroe County, who had served on the circuit bench and one term in congress, and materially aided in the election of Foote for governor. Cornelius Carmack was elected president, and James A. Ventress chairman of the committee on resolutions. Mr. Ventress was a liberally educated lawyer, who had creditably served in the legislature and as a presidential elector, and was well qualified to be at the head of the committee which was to voice the sentiments of the convention. Of the thirteen members of the committee, ten were Whigs and three identified with the Democratic State Rights party.

GOVERNOR HENRY STUART FOOTE
From an oil portrait in the Mississippi Hall of Fame

The resolutions of the majority, adopted by a convention vote of 72 to 17, accepted the compromise so long as it was "faithfully adhered to and enforced;" pledged adherence to the Union and the constitution, *so long as they should conserve fundamental rights and principles;* asserted that "the right of secession from the Union on the part of a State or States is unsanctioned by the Federal Constitution;" at the same time, "*violations of the rights of the people may occur which would amount to intolerable oppression and would justify a resort to measures of resistance.*"

The minority report and resolutions submitted by the members of the Democratic State Rights party made it clear that while they did not acquiesce in the justice or wisdom of the compromise as a whole, the plan was accepted "in preference to the adoption of any course which might tend to endanger the Union of the states." The doctrine of state sovereignty was firmly reasserted, and that "whenever an exigency should arrive, which, in the opinion of the people of the State, was sufficient to justify the step, a State had an unquestioned right to resume the delegated powers and withdraw from the Union." Although the report was laid on the table by a vote of 72 to 14, it expressed the opinion of a large State minority.

The proceedings of the convention mark the end of the great struggle in Mississippi over the compromise of 1850. Other Southern States adopted the same course. South Carolina was the last to accede, her convention of April 26, 1852, justifying her right to secede from the Union but forebore "the exercise of this manifest right of self-government from considerations of expediency only."

THE FOOTE-PETTUS ADMINISTRATIONS

Henry S. Foote resigned his seat in the United States senate on January 8, 1852, two days before his inauguration as governor of Mississippi. He assumed the chair, with the State Rights Democrats still in control of the upper house of the legislature. The senate stood 21 Democrats to 11 Whigs who had favored the compromise; the house, 63 Whigs and Union Democrats favoring the compromise, to 35 Democrats, who had opposed it.

Governor Foote's inaugural, delivered to the legislature on January 10th, was almost entirely devoted to the issues which had been adjusted by the compromise, although two days before he

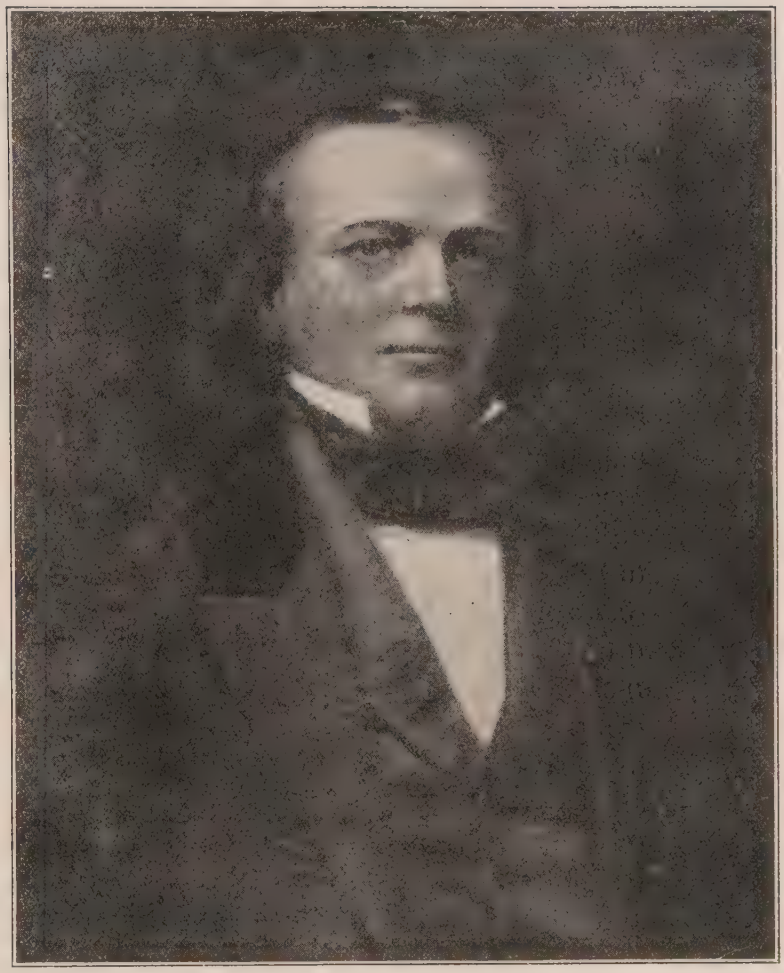
was thus inducted into office the State Rights convention had met at Jackson and rejected a resolution proposing acquiescence in the congressional laws. Its action went to show that strong opposition to the compromise still existed.

In the following month commenced the involved contest over the Mississippi representation in the United States senate. When Jefferson Davis resigned to enter the race for governor, Acting Governor Whitfield appointed John J. McRae, to fill the vacancy. He was a prominent editor, had been speaker of the Mississippi house of representatives and was an associate of Quitman in the State Rights organization. Governor Foote formally reported that there was a vacancy in the United States senate to be filled on account of his resignation. He added: "Mississippi has only one senatorial representative now in Washington and he, holding his authority by executive appointment alone, is unfortunately a gentleman who, whatever qualifications his friends may attribute to him, is well known to entertain sentiments and opinions highly dangerous in their character and tendency, and which have been twice openly repudiated by the sovereign people of the State in two successive popular elections." He therefore urged the legislature to elect two senators who would support the compromise of 1850. He noted that the two houses were in disagreement about the form of procedure to fill the two vacancies, and the election for the regular term to begin March 4, 1853.

An agreement was reached so that a joint ballot was taken on February 18th, for a successor to Foote. There were twenty-five candidates for the vacancy. Walker Brooke, a Whig representative from Holmes County and a lawyer of standing, received the necessary 61 votes and served in the national senate from March 11, 1852, to March 3, 1853.

On February 19, 1852, Stephen Adams was elected senator over John J. McRae for Jefferson Davis' unexpired term ending March 3, 1857. Brooke took his seat March 11, and Adams, March 17, 1852.

The legislature assembled on the 23rd of the month to elect a United States senator for the full term beginning March 4, 1853, but the State senate with its Democratic majority refused to participate in it. The legislature of 1854, elected in the fall of 1853, was Democratic on joint ballot and on January 7th of that year elected Albert G. Brown for the term ending March 3, 1860.



GOVERNOR JOHN J. McRAE
From an oil portrait in the Mississippi Hall of Fame

As Governor Foote made no appointment to fill the vacancy in the United States senate caused by his resignation, and Walker Brooke was elected by the legislature to fill his unexpired term ending March 3, 1853, Stephen Adams was the only Mississippi senator serving during the congressional session from December 5, 1853, until Albert G. Brown took his seat, on January 26, 1854.

DEMOCRATS BACK IN POWER

During the presidential campaign of 1852, the Democrats returned to their regular organizations, again under the able leadership of Jefferson Davis, Albert G. Brown, and William S. Barry. The reaction was so strong that Mississippi cast 26,876 ballots for Franklin Pierce, the New Hampshire Democrat, as against 17,548, for General Winfield Scott, the Whig candidate.

Jefferson Davis was influential in carrying Mississippi for Pierce, who voiced his admiration for him and his special gratitude for his campaign services by calling him into his cabinet as Secretary of War. This greatly angered Governor Foote and his followers. It was said by Foote that the plan of President Pierce in calling to his cabinet such opposite characters as Caleb Cushing and Jefferson Davis, was to unite the abolitionists in his support that he might either be reelected or name Secretary Davis as his successor.

The Democrats nominated John J. McRae for Governor in 1853, and the Whigs and Union Democrats, Francis M. Rogers. Again the campaign hinged on a State issue, viz.: the payment of the bonds issued by the State in exchange for stock in the Planters' and Union banks. By the election of McRae the popular verdict was against such liquidation. The total vote of the State was 59,395, of which McRae received 32,116 and Rogers, 27,279.

In the congressional house of representatives, the Mississippi delegation became entitled to a fifth member, as based on the census of 1850, which gave the State 291,000 free natives, scarcely 5,000 foreign, and 309,000 slaves. Of the number of free natives nearly 141,000 were born in Mississippi, and the others principally in Alabama, South Carolina, Tennessee, North Carolina, Georgia and Virginia. When to the Mississippi quota were added those from the other Southern States, more than 277,000 of

the State population had been accounted for. So that a decade before the opening of the War for Southern Independence the State of Mississippi was almost purely of the southern type, the numerous descendants of the early settlers from the New England States and New Jersey having become thoroughly imbued with Southern ideals. There was not a State in the Union that was not represented in the State's early population, and that by a high type of citizen.

The fifth congressman to which the State was entitled by the census figures of 1850 was elected in the fall of 1853 in the person of Capt. William Barksdale, a veteran of the Mexican War, who had as his competitors Reuben Davis and Gen. Alexander Bradford. Barksdale was a Democrat. He served in Congress until the outbreak of the war and during the conflict became a famous brigadier general of the Confederacy.

Governor Foote resigned five days before the expiration of his term and in his final message to the legislature announced his determination to become a citizen, at an early day, "of the newest and most distant State of the Confederacy" (California). After urging legislation to restore and maintain the public credit, to extend the system of public education, reform the criminal jurisprudence of the State and suppress intemperance, he entered into a heated discussion of the political course pursued by Jefferson Davis since he became Secretary of War. He claimed that since Davis had become part of the administration pledged to enforce the compromise he "had expressed to northern audiences ardent love for the Union." The message was not acceptable to the legislature, and as a matter of fact was full of personal abuse of his political opponents. Finally it was ordered printed, but the house added a note to the effect that it repudiated the accuracy of its conclusions and averments, as defining "the motives and positions of parties and of distinguished and patriotic citizens." Governor Foote then sent in his resignation. He left the State an embittered, disappointed man, largely brought about by personal animosities. John J. Pettus, a leading member of the legislature from Kemper County who had been elected president of the State senate, became chief executive *ad interim*. His administration as Governor lasted five days or until January 10, 1854, the date of the inauguration of John J. McRae.

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CHAPTER XX

MISSISSIPPI RESISTS COERCION

INCOMING OF THE McRAE ADMINISTRATION—ESTABLISHMENT OF STATE CHARITIES—McRAE'S SECOND TERM—AMENDMENTS TO STATE CONSTITUTION ADOPTED—CONSOLIDATION OF LEVEE IMPROVEMENTS—THE RISE OF LUCIUS Q. C. LAMAR—SECTIONAL ISSUES REENTER STATE POLITICS—GUBERNATORIAL ELECTION OF 1857 — L. Q. C. LAMAR ELECTED TO CONGRESS—RETIREMENT OF GOVERNOR McRAE—COMMENCEMENT OF THE McWILLIE ADMINISTRATION—DEATH OF JOHN A. QUITMAN—SPECIAL SESSION OF 1858—JOHN J. PETTUS ELECTED GOVERNOR—JOHN BROWN'S RAID INTENSIFIES NATIONAL ISSUES—FIRST TERM OF GOVERNOR PETTUS—MARSHALLING OF THE POLITICAL FORCES IN 1860—THE LEGISLATURE CALLS A SECESSION CONVENTION —MISSISSIPPI PASSES ORDINANCE OF SECESSION—EFFECT AND PROGRESS OF SECESSION MOVEMENT—WITHDRAWAL OF THE CONGRESSIONAL DELEGATION—TEXT OF THE ORDINANCE OF SECESSION—CONFORMING TO THE NEW CONDITIONS—MISSISSIPPI FORMALLY ENTERS THE CONFEDERACY—WAR MEASURES OF THE PETTUS ADMINISTRATION—THE WAR APPROACHING HOME SOIL—THE WAR IN MISSISSIPPI —CONCLUSION OF THE PETTUS ADMINISTRATION—EFFECTS OF EMANCIPATION.

The period substantially covering the decade from January, 1854, until late in the fall of 1863, had to deal with the administrations of three governors and carried Mississippi from what promised to be a political calm, immediately following the compromise of 1850, into the throes of a bloody war brought on between the North and South by disagreement over fundamental questions of government. With the abolition of slavery for a persistent reform movement the controversy involved that question to a large extent and political leaders in the North were compelled and were shrewd enough to see the advantage in it to make it an issue. Mississippi enjoyed such a permanent prosperity for several decades before the war that her public improvements, like railroads and levees, took decisive steps forward, and State charities and educational institutions were substantially developed.

But the national affairs of the country were in a critical condition. The constitutional rights of the States which admitted

no encroachment on the part of the Federal government became more and more the subject of discussion. A disposition on the part of Northern leaders to interfere in the domestic affairs of the States and Territories was indicated in many ways. The election of Lincoln to the presidency in 1860 was believed to be the signal for the coercion of the Southern States, and for the war which followed. The following pages treat in a limited way the many national questions that affected and colored this period of the State's history.

INCOMING OF THE McRAE ADMINISTRATION

John J. McRae, who had served a short time as United States senator to fill out Jefferson Davis' unexpired term, was an especial representative of the interests of southern and southeastern Mississippi. His early education at the Frederick school, Pascagoula; his law studies at Pearlington, Hancock County; his efforts in behalf of the Mobile & Ohio railroad; his journalistic work as editor and proprietor of the *Eastern Clarion* at Paulding, Jasper County; and his legislative career as a representative of Clarke County—all combined to give him a thorough insight into the needs of the State outside of the more populous counties along the Mississippi River. When he became Governor, however, there was no evidence of sectionalism or favoritism in any of his acts or expressed opinions.

In his inaugural address, delivered to the legislature on January 10, 1854, Governor McRae decried the sectionalism which was dividing the country; for after he had laid down the principle of the co-equal rights of the states in the Union, he said: "To nationalize this great principle is the work of patriotism; to sectionalize it, is to destroy the best hopes of the republic." In his plea for education the Governor remarked: "There are but two great ideas worthy of life—God and liberty. They embrace all of value here; all that is important hereafter. But to appreciate these, man must be intelligent; to be intelligent he must be educated; to be educated, the means must be provided; and this is the duty of the State."

It required no great insight to perceive the need of educating the masses, but it was quite another problem to establish and develop a system without the expenditure of large sums. The matter, however, received much attention in the legislation of

the State and much was accomplished towards a uniform system of education that but for the acute stage of national controversies over fundamental questions of government would have placed the State in an advanced position on this point.

The railroads also were now clamoring for funds, and many of the people could see more direct and immediate benefits from their construction than from the promotion of education. Still there was quite a strong protest against the proposition to allow a cash bonus to the New Orleans, Jackson & Great Northern railroad which had been built to the State line at Osyka, Pike County. In 1854, the Mobile & Ohio railroad was in operation from Lauderdale Springs, not far from the eastern boundary of the State, to Mobile, Alabama, and the Memphis & Charleston line was running through the extreme northeastern corner of the State by way of Corinth. Mississippi as a State was virtually without adequate railroads at this period.

That the evils of intemperance were great and pressing was evident from the petition so generally signed by the women of Mississippi praying the legislature to provide remedial measures. This petition, which directly concerned public affairs, is proof that the women of that period were not without influence in State legislation. Their petition mentions "the alarming evils of intemperance, prevalent to so fearful an extent not only in the City of Jackson, but also throughout the State of Mississippi." Nor did their influence fail to get results, since the legislature responded to this, and similar requests, with an act regulating the sale of liquor and submitting the question of license to the voters of the community in which it was asked to be granted; in other words, local option was proposed as the remedy.

ESTABLISHMENT OF STATE CHARITIES

Governor James Whitfield made the first recommendation for the establishment of a State asylum for the deaf and dumb to the legislature of 1852. An attempt to make it a department of Oakland College, a flourishing Presbyterian institution in Claiborne County, seems to have killed the original bill. In February, 1854, Col. Erasmus R. Burt, an influential member of the house of representatives from Oktibbeha County, introduced a resolution instructing the committee of education "to enquire into the expediency of enlarging the building of the Blind Institute so as to

A TYPE OF THE YOUNG MISSISSIPPI WOMAN OF 1850

From "Dem Good Ole Times", by Mrs. James H. Dooley
Illustrated by Suzanne Gutherz

furnish apartments for the education of the deaf and dumb, and to report, by bill or otherwise." Two weeks afterward, the committee of education, of which Colonel Burt was a member, reported favorably upon such a bill. It passed both houses of the legislature and was approved by Governor McRae on March 1, 1854. To Colonel Burt is accorded the honor of faithfully fathering the bill and engineering it through the legislature. But instead of enlarging the building of the Institution for the Blind and making the new establishment a department of that institution for the education of the deaf and dumb, as was contemplated by the original act, in April following the passage of the bill the trustees of the parent body organized a separate Institution for the Education of the deaf and dumb.

The property of the Cleaver Female Institute, comprising two acres of ground and suitable buildings opposite the Governor's mansion, was purchased through the coöperation of the trustees and the legislature. The institution was open for the reception of pupils in August, 1854, but it was several years before it could be called established.

After many trials and tribulations, the lunatic asylum, or insane hospital at Jackson, was nearly completed. In January, 1854, its architect reported that he had been much delayed by the extraordinary high price of labor and the fearful epidemic of fever in 1853 and by a fire that destroyed much of the frame material, but the brickwork was completed and the buildings mostly under roof. The legislature had appropriated $135,000 for the building and $30,000 more was needed for furnishing. The building would accommodate 160 patients, and when completed would equal in beauty and durability any institution of the kind in the United States.

The first board of trustees of the insane hospital was appointed by Governor McRae on March 2, 1854, and consisted of Dr. William S. Langley, George S. Yerger, Charles E. Hooker, John C. Carpenter and Warren P. Anderson. Dr. Langley was chosen superintendent and received the first patient, an incurable, on January 10, 1855.

McRAE'S SECOND TERM

With the defeat of Winfield Scott for the presidency in 1852, the Whig party had practically ceased to exist. Not long after-

ward, the Know Nothing, or American party, arose in the North and spread to the Southern States. Perhaps its most prominent feature was its opposition to those of foreign birth, making a qualification of their suffrage a residence of twenty-one years in the United States. The Know Nothing organization absorbed the Whigs and numerous Democrats, and entered Mississippi politics during McRae's second campaign for the governorship. He was renominated by the Democrats in the spring of 1855 and the Know Nothing candidate, said to have been endorsed at a secret meeting of the new party in New Orleans, was Charles D. Fontaine, a lawyer of high standing from Pontotoc County who had served several terms in the legislature. Governor McRae was reelected by about the same vote as that of 1853—32,666 to 27,579; after which the Democratic party rapidly became the dominating political organization of Mississippi and the South.

AMENDMENTS TO STATE CONSTITUTION ADOPTED

At the general election of 1855 the people adopted the fourth and fifth amendments to their State constitution. The first extended the terms of all public officers which would expire at the general elections in 1857, or any subsequent year, to the first Monday of January following, and provided that the terms of officers elected in 1857 should begin in January, 1858.

The fifth amendment changed the general elections to the first Monday of October and restricted them to one day. Elections for congressmen, State officers and legislators were to be biennial, beginning in 1857; the legislature to meet on the first Monday of November, in 1857, and biennially thereafter. The Governor's term was to begin on the third Monday of November and the terms of other officers, on the first Monday of January; the elections of county, district and judicial officers to be held biennially, beginning in October, 1858.

These amendments became part of the State constitution by act approved February 6, 1856.

CONSOLIDATION OF LEVEE IMPROVEMENTS

Prior to 1849 the work of building levees and drains to protect and reclaim the fertile swamp lands of the lower Mississippi in Louisiana, Arkansas and Mississippi, was the result of private enterprise. The lower lands of the wonderful delta region of

Mississippi were almost unprotected when congress commenced to look upon these improvements as of national import.

From an article published in the *Mississippi Official and Statistical Register* of 1912, on Mississippi Levees, the following extracts are apropos:

"It was in the administration of Zachary Taylor (1849-50), himself a Mississippi planter, that the first resolutions were adopted by the United States senate directing a survey of the river to ascertain the best method of reclaiming the alluvial lands. The movement thus begun resulted, after many years, in the report of Chief Engineers Humphreys and Abbott that the levee system was the only method.

"In 1849 congress donated to Louisiana to 'aid in constructing the necessary levees and drains to reclaim the swamps and overflowed lands which may be, or are found unfit for cultivation,' and by the act of 1850 extended the grant so as to give to the several states all swamp and overflowed lands within their limits remaining unsold, and directed that 'the proceeds of said lands, whether from sale or direct appropriation in kind, shall be applied exclusively, as far as necessary, to the reclaiming of said lands by means of levees and drains.' This action by the Federal Government was based on the broad ground of an enlarged public policy, valuable public, as well as private interests being thereby subserved, and important sanitary ends secured."

By the measure of 1850, known as the Swamp and Overflowed Land Act, 500,000 acres of land were donated to the State of Mississippi, which proceeded to sell it under legislative enactment. In March, 1852, the legislature passed an act for the "construction of a levee upon the Mississippi River for the reclamation of the State and school lands and for other purposes." The Secretary of State was to sell the land in quarter sections at the minimum price of $2 per acre, in front of the capitol at Jackson, on the third Monday in November, 1852. The land was by no means disposed of, and on March 2, 1854, the legislature approved an act for the Secretary of State to issue by the following first of April land scrip for 720,000 acres, in quarter sections, to the counties of De Soto, Tunica, Coahoma, Bolivar, Washington and Issaquena, to be used for the purpose of aiding in the completion of levees in the counties named. A law was passed placing the levee work in each of the river counties in

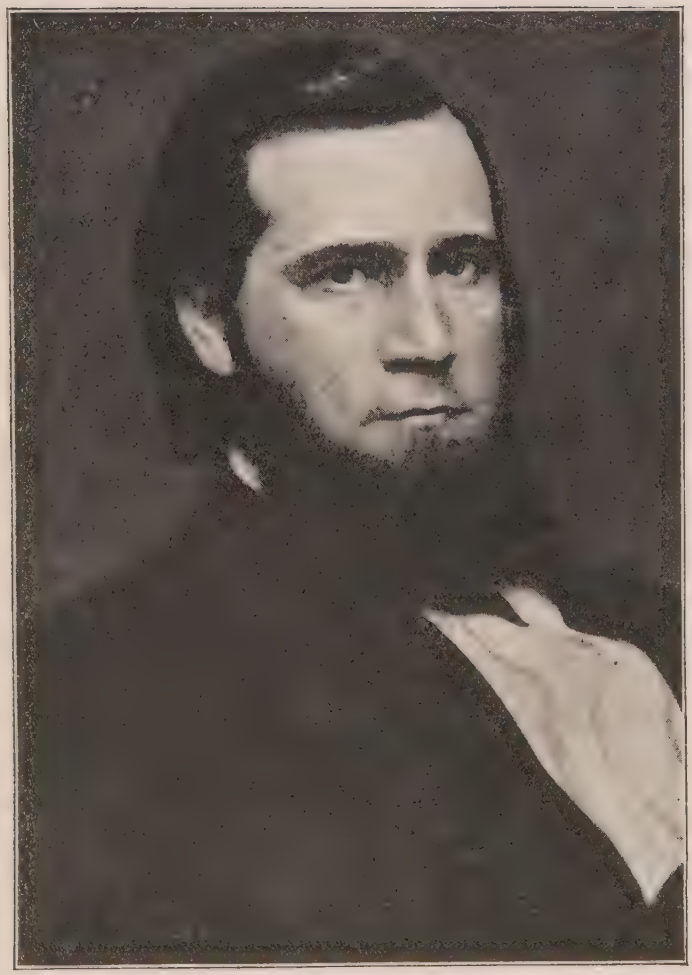
charge of a commission. In 1854 a more general superintendence was proposed by James L. Alcorn, a leading lawyer and legislator of Coahoma County, and he was himself appointed president of the superior board of levee commissioners.

THE RISE OF LUCIUS Q. C. LAMAR

Among the really great men of the South was L. Q. C. Lamar, whose full name was Lucius Quintus Cincinnatus Lamar. He was a descendant of an old French family, the American foundation of which was laid in Virginia and Maryland. The Georgia branch was grafted into the family tree by John Lamar who died at his homestead in Putnam County in 1833. The eldest son of the Georgia pioneer, also Lucius Q. C. Lamar, was a leading judge of the State, whose death followed that of his father by a year. The Birds of South Carolina and Georgia intermarried with the Lamars, Judge Lamar's mother being Sarah Bird. He was born at the old Putnam County homestead, September 17, 1825, and was given his father's classical name. He seems to have combined all the scholarly, poetic, philosophical and pious traits of his family, on both the paternal and maternal sides. The Lucius Q. C. Lamar who especially honored Mississippi and was so highly honored by the State and Nation, was a quiet, studious, modest boy, and for many years after his father's death attended the Georgia Conference Manual Training School and its successor, Emory College. The Lamar family for many generations had been leading members of the Methodist church, and while young Lamar was attending Emory College he came into intimate personal contact with its able president, Judge Augustus B. Longstreet.

The president of Emory College was a Yale graduate, a member of the bar and formerly circuit judge, as well as a man of public affairs, and a year before being placed at the head of that institution had become a Methodist preacher. He still held the presidency of the Georgia College when Lamar graduated from it in 1845. Four years afterward, after serving as president of the Centenary College of Louisiana for a few months, he was unanimously and without solicitation on his part called to head the affairs of the University of Mississippi. His able service in that capacity extended from September, 1849, to July, 1856.

In the meantime, Lamar had abandoned his original inten-



SENATOR L. Q. C. LAMAR AT THIRTY-SEVEN YEARS OF AGE

tion of becoming a Methodist clergyman; had been admitted to the bar and commenced practice at Columbus, Georgia. He had also married a daughter of Judge Longstreet. When the latter assumed the presidency of the University of Mississippi, Lamar followed, settled in the practice of law at Oxford and also accepted a position on the university faculty as assistant professor in mathematics. The young lawyer and college professor was an ardent States Rights Democrat and was called to the support of his party during the exciting contest between Jefferson Davis and Henry S. Foote for the governorship, in the fall of 1851.

Lamar's rise to prominence in the public life of Mississippi was during that campaign. A committee of the States Rights Democrats waited upon him as a prize collegiate orator to reply to Senator Foote when he came to Oxford. Lamar had had no experience in politics; Foote was a past master. There was no more able campaigner in the South. He had driven John A. Quitman from the canvass and was flushed with his many forensic victories. The contest for the States Rights party in the Oxford district seemed most uneven, if not hopeless; but the University was solidly behind Lamar in his support of Jefferson Davis.

On the appointed day Oxford was packed with exultant Foote followers and Whigs. States Rights Democrats were there in equal numbers; their manner was more subdued and apprehensive. It was proclaimed aloud that Senator Foote, the great gladiator of campaign oratory, would overwhelm the young orator from Georgia with his eloquence, humor, wit, and especially with his satire. At the appointed hour, thousands of admiring partisans of each side were assembled to cheer their champions on to victory.

The debate eagerly awaited was opened by Senator Foote. His speech was brilliant and eloquent, as he dwelt with patriotic fervor on the benefits of the compromise.

When Lamar arose to reply, as he stood before the cheering people there was something in his presence that inspired his friends with confidence in his ability to meet the situation and deal with its heavy responsibility. His bearing was confident, modest and dignified. He was a man of good medium size, with a thoughtful, scholarly face, fine brow, dark, abundant hair, and large gray eyes. The speech he made was logical, scholarly, eloquent and convincing. His exposition and elucidation of govern-

mental principles held much of the power and force of Burke's, while one can easily believe that his manner towards his opponent was marked with a courtesy as exquisite and natural as that of Raleigh. He was of an age when literary culture took the form of eloquent oratorical speech with which he, like so many other gifted Southerners, combined logic and deep knowledge of the subject.

"The enthusiasm at the close of the debate was so great that the students of the University to show their admiration for their champion took him upon their shoulders and carried him in triumph from the scene amid the wild cheers of the people. The impressions made by the speech marked the beginning of Mr. Lamar's political advancement. (Revised from an early portrait by the author of Senator Lamar.)

SECTIONAL ISSUES REENTER POLITICS.

Although Governor McRae's message of January, 1856, was largely devoted to a discussion of State affairs, he could not but note the revival of the slavery issue between the North and South in the Kansas contentions between the Free Soilers and the supporters of the Southern institution. As Robert J. Walker was then Governor of the Territory, the historic conflicts therein were of special interest to Mississippians. There was civil war in Kansas between the colonizing parties from the Northern and Southern States. Of the situation some one has observed that "the skirmish line of the great war was near at hand."

The presidential election of 1856 was fought around James Buchanan, the Democratic candidate, Millard Fillmore, who had been nominated by the Know Nothings, and Col. John C. Fremont, the standard bearer of the new Republican organization. The last-named represented the sentiment in the North and west consolidated against slavery, and secession was freely prophesied by the South should Freemont be elected. No vote was cast for him in Mississippi, the division between the other candidates being as follows: Buchanan, 35,446; Fillmore, 24,195.

The adjourned session of the legislature begun in December, 1856, and two more amendments to the constitution were proposed—one prohibiting suits against the State, and the other abrogating the fourth and fifth amendments so far as they related

to the tenure of office of legislative members. The latter only was adopted.

GUBERNATORIAL ELECTION OF 1857

In June and July, 1857, the State conventions of the Democratic and Know Nothing parties were held in Jackson. Both adopted resolutions censuring Governor Walker for his proposition to submit the State constitution of Kansas to popular vote; and this censure was extended to President Buchanan. At the election in October, the Democratic nominee for Governor, William McWillie, a former South Carolina lawyer and banker, was chosen chief executive. He had been a prosperous planter of Madison County for twelve years, had served one term in congress and his homestead of "Kirkwood" was the gathering place of many of the public men of the State. It was both a social and a political center during the lifetime of its owner.

Edward M. Yerger, Governor McWillie's opponent, was an able newspaper man and the nominee of the Know Nothing or American party. The total vote cast throughout the State was 41,471, against 60,245 polled in 1855. McWillie received 24,376 votes; Yerger, 14,095.

L. Q. C. LAMAR ELECTED TO CONGRESS

The campaign of 1857 for members of congress was noteworthy, as it resulted in the election of L. Q. C. Lamar to congress as successor to Daniel R. Wright and his entrance into a long and distinguished career of public service. James L. Alcorn, a leading lawyer and forceful speaker of Coahoma County and, although still a comparatively young man, one of the founders of the State levee system, was the Whig-Know Nothing candidate in that district and was popular with the Delta planters. In view of Alcorn's ability and strength, the Democrats were at first almost discouraged over finding a man in their party to pit against him.

At this juncture the prominent Democratic leaders of the State met at the spacious and handsome home of Jacob Thompson, at Oxford, which was a popular gathering place of distinguished men and women. It was special headquarters for the political party of which Mr. Thompson was then the acknowledged leader. He had earned that position because of his long and honorable

career in Congress, his successful championship of Buchanan's presidential aspirations both in the Cincinnati nominating convention and in the campaign within the State, and because of the prominent fact that for several months before the opening of the congressional campaign Mr. Thompson had been serving in Buchanan's cabinet as Secretary of the Interior. Of the occasion Mrs. N. D. Deupree writes in *Some Historic Homes of Mississippi*, published by the Mississippi Historical Society:

"In this crisis the prominent leaders of the Democratic party were invited to a banquet at the Thompson mansion. The table was spread with all the munificence the occasion demanded, yet a cloud seemed to hang over the company that neither the presence of lovely women nor good cheer could dispel.

"When Mrs. Thompson arose and led the ladies from the dining room, leaving the gentlemen to the discussion of wines and cigars, the question in every man's mind there present and which was voiced at once was, 'Where shall we find a man to run against Alcorn?' A name was mentioned. The leader shook his head. Name after name was proposed and discussed, but still the leader shook his head and the gloom grew deeper over the assembled guests.

"Finally one gentleman asked if there was no man in the Democratic party who was fitted to enter the contest. Mr. Thompson said that 'we must have a man endowed by genius and culture with the qualities that make a politician and a statesman, he must be gifted with eloquence and of scholarly attainments, he must have no political or moral sins to answer for, he must be ready to meet any question that may arise in an exciting campaign and be able to win the masses over such an adversary as Alcorn.'

"Judge Howry asked if 'we had such a man.' To which Mr. Thompson replied 'Yes, fill your glasses, gentlemen, and drink to his success when I name him.' The glasses were filled; on every face were gleams of hope shaded with lines of anxiety. Mr. Thompson lifted his glass and threw back his head as he said 'Here's to L. Q. C. Lamar, our next congressman.'

"For a moment there was a hush as if every heart had ceased to beat, then, as with one voice, arose the cry 'Lamar! Lamar!' When the dreamy-eyed scholar arose and tossed back his long hair, the dreamer awoke, his eyes flashed with the lightning of

"KIRKWOOD," MADISON COUNTY
The Ante-Bellum Home of Gov. William McWillie

his genius and there fell from his lips the grandest flow of eloquence ever heard in those stately halls. He seemed inspired. The conquest was complete, and when he took his seat cheer after cheer arose for 'our next congressman.' He was elected."

RETIREMENT OF GOVERNOR McRAE

In his final message of November 2, 1857, Governor McRae studiously avoided national politics. The financial crisis of the year caused by the suspension of specie payments and the general collapse of inflated banking was a leading topic of the State paper. He also reviewed the status of the railroad situation. During his administration the State had invested in railroads nearly $1,500,000 of congressional funds, loaning some $633,000 from the Chickasaw school fund and $800,000 from the internal improvement fund for that purpose. Only 34 miles of rails remained to be laid between Jackson and New Orleans on the New Orleans, Jackson & Great Northern line, the management of which had been granted until March, 1858, to complete the road to Canton, in Madison County. The line north of that point was also being graded. It was expected also that by January, 1858, the Mobile & Ohio railroad would be in operation north to Okolona, Chickasaw County. That line was projected to Columbus, Kentucky, where it was to connect with the Illinois Central. The general plan was to complete two lines through Mississippi, from New Orleans and Mobile, converging in the through route to Chicago.

The total receipts of the State treasury for the ten months ending October, 1857, amounted to $1,015,478; expenditures, $1,054,469, including the large movements of the trust funds. In regard to the Two per cent, Three per cent and Sinking funds, a large discrepancy had long existed between the books of the Treasurer and the Auditor.

The Governor also noted the adoption of the revised statutes, or code, of 1857. Under an act of March 1, 1854, the supreme court had appointed a commission to revise the laws of the State composed of William L. Sharkey, Samuel S. Boyd and Henry T. Ellett. Boyd was replaced by William L. Harris. In 1856 the commissioners reported a code, which was adopted at a special session of the legislature in 1857. The code of 1857 was like

that prepared under the supervision of George Poindexter in that it superseded all prior statutes.

Under the fifth amendment to the State constitution, Governor McRae's term was extended from January 16, 1857, to the third Monday in November of that year, or November 16, 1857. On the same day Governor-elect McWillie was sworn into office.

COMMENCEMENT OF THE McWILLIE ADMINISTRATION

Governor McWillie's inaugural address was a mixture of State and national topics, with constitutional interpretations and the question of slavery matters uppermost. The Dred Scott decision of the previous year, affirming that residence of slaves in free territory did not make them freemen, had intensified the Kansas imbroglio. In view of the critical state of affairs in that territory he hoped that disruption of the Union might be avoided; but disruption was inevitable if things traveled as they were then tending. An appeal to patriotic and conservative men everywhere to stand fast and struggle on for Constitution and Union was "with *thorough preparation on our part*, all that we can do."

Early in the session, John J. Pettus, of Kemper County, president of the State Senate and who had been a leading member of the legislature for fourteen years, introduced a joint resolution declaring unqualified condemnation of Governor Walker of Kansas and President Buchanan, "as unfaithful to the principles of the Kansas-Nebraska bill and the cherished constitutional rights of the Southern States."

SPECIAL SESSION OF 1858

The Governor called the legislature in special session on November 1, 1858, especially to insert into the State constitution the sixth amendment repealing such provisions of the fourth and fifth amendments as related to the official terms of members of the legislature. Although that was the special object of the called session, so absorbing was the revival of constitutional issues that the first business brought before the senate was a resolution introduced by I. N. Davis, representing Panola, Tallahatchie and Coahoma counties, declaring that slavery was recognized by the Constitution and the Holy Bible and favoring the reëstablishment of the African slave trade. The last proposal did not reflect the

GOV. WILLIAM McWILLIE
From an oil portrait in the Mississippi Hall of Fame

sentiment of the legislature and the resolution was referred to the committee on federal relations, to die in that body.

Even at that crisis the people were intent on peaceful pursuits, since Governor McWillie's message to the special legislature of 1858 dealt largely with levee, railroad and educational matters. He urged that the levee system from Vicksburg to the Tennessee line should be placed under one general management —taxes on the lands benefited to be levied and an annual improvement fund of $500,000 to be raised. He also recommended a general State tax to aid the railroads, none of which were yet completed through the State. "I have no hesitation in assuring you," the Governor added, "that notwithstanding the present difficulties with which our roads have to contend, all the investments heretofore made in their stocks and all the money loaned on the bonds of the companies are amply secured; also, that the interest on those bonds has been regularly paid and that there is no doubt of the ultimate payment of the principal as it falls due."

The State had used funds belonging to the university amounting to $650,000. The Governor urged that this should be funded at six per cent for the maintenance of a Normal school, and recommended the appointment of a superintendent-in-chief of the common schools. He also championed uniform text books, and Normal schools for the training of girl teachers. "In my opinion," suggested the chief executive, "this is asking little in aid of female education, to which, so far as I am informed, not one dollar has ever been appropriated by the State, though we have expended hundreds of thousands of dollars for the benefit of thieves and murderers in the erection of a penitentiary." In this connection, the cotton factory at the penitentiary, burned in 1857, was being rebuilt.

Governor McWillie noted the formation of numerous volunteer military companies in the State and the inadequacy of arms to supply them. Neither the State nor the Federal government could meet the demand. He therefore recommended an appropriation of $10,000 for the purchase of arms.

DEATH OF JOHN A. QUITMAN

Probably no more ambitious man ever lived in Mississippi than John A. Quitman; yet his ambition, much like that of Theodore Roosevelt, never swerved him from what he believed to be

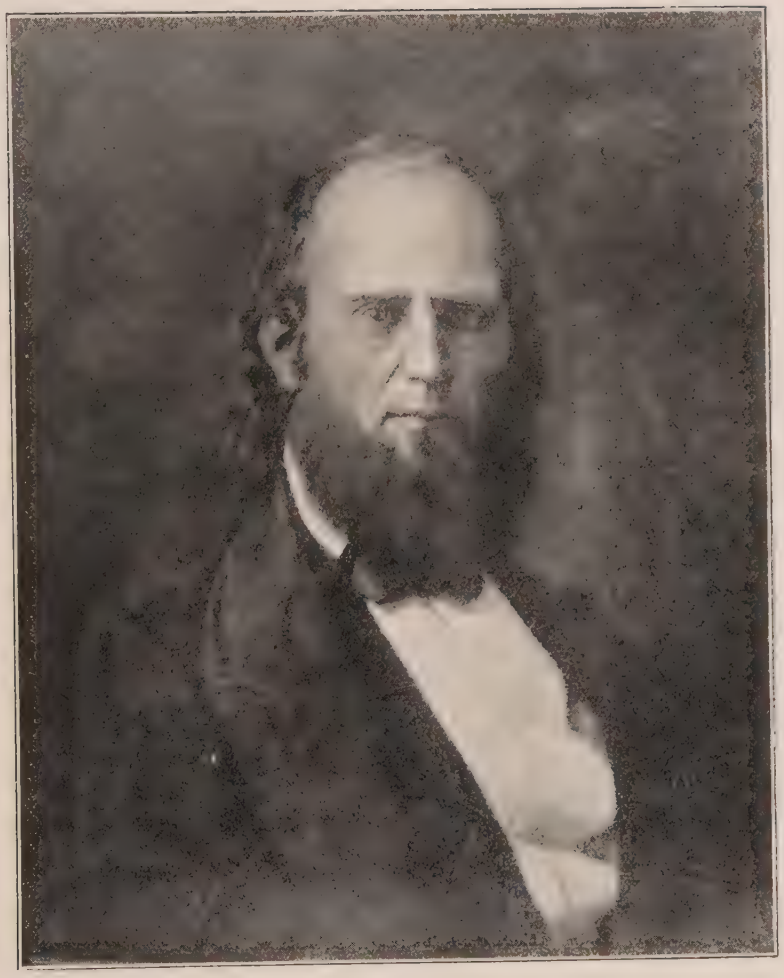
the right and manly course. His own ambition was enwrapped with the expansion of the South, either through the accession of Mexican territory or the annexation of the Spanish province of Cuba through the revolution of its people. For two years preceding his election to congress in 1855, he was at the head of the Cuban junta in the United States and was official commander of the revolution. In April, 1855, he resigned his commission from the junta and in the succeeding fall was elected to congress from the fifth district of Mississippi. In that body he labored for the repeal of the neutrality laws and continued as a persistent advocate of Southern expansion. He bitterly fought the Kansas compromise bill, maintaining his position with only one assistant, a South Carolina representative. In his last session of congress he boldly declared that he aimed at disunion. There was never any doubt of his position or direction, whether in military or political matters.

General Quitman's health seriously declined in the winter of 1856, and in the following spring he suffered, with others, the mysterious sickness following a banquet given to President Buchanan in Washington. He recovered sufficiently in May, 1858, so that he was able to deliver an address at Columbia, South Carolina, to the Palmetto regiment of that State which had shared his fame in the Mexican War. After his return to Washington, General Quitman rapidly failed, and for several weeks remained in a comatose state. Finally his friends escorted him to Natchez. There, in his beautiful home known as Monmouth, which he had purchased as a young man, and which had witnessed so many griefs and triumphs of his eventful life, this leader of men and lover of wife and children, died on the afternoon of July 17, 1858.

Ex-Governor McRae, who was elected to succeed General Quitman in the United States congress, took his seat December 7, 1858. With other members of the Mississippi delegation, he served until January 12, 1861, when, at the adoption of the ordinance of secession by the State convention, he withdrew from further participation in the proceedings of the Federal house of representatives.

JOHN J. PETTUS ELECTED GOVERNOR

The Democratic State convention, which met in Jackson, July 4, 1859, nominated John J. Pettus for governor. He had ably



GOVERNOR JOHN J. PETTUS
From an oil portrait in the Mississippi Hall of Fame

served in both houses of the legislature from 1844 to 1858, was an unqualified disunion man and heartily subscribed to the resolution of the convention which nominated him, as follows: "That in the event of the election of a Black Republican candidate to the presidency by the suffrages of one portion of the Union only, to rule over the whole United States, upon the avowed purpose of that organization Mississippi will regard it as a declaration of hostility; and will hold herself in readiness to coöperate with her sister states of the South in whatever measures they may deem necessary for the maintenance of their rights as co-equal members of the Confederacy."

Harvey W. Walter, who was nominated by the Whigs, was a leading lawyer and public man of Holly Springs. He was foremost among the railroad promoters of the State and especially prominent in the building of the Mississippi Central railroad. Mr. Walter also took a great interest in education, was a leading Mason and a supporter of all Christian movements. He was a solid, strong man, but failed to equal the support earned by the long legislative experience enjoyed by Mr. Pettus, who was also carried along by the rapid current of State sentiment.

The result of the October election was to raise Mr. Pettus to the gubernatorial chair by a vote of 34,559 to 10,308, cast for Walter.

JOHN BROWN'S RAID INTENSIFIES NATIONAL ISSUES

Not long after the October election by which Pettus succeeded McWillie as governor occurred John Brown's raid in Virginia, upon the United States arsenal at Harper's Ferry for the purpose of inciting a slave insurrection that startled and horrified the entire country, as Brown's purpose was to arm the slaves and massacre their masters. This was followed shortly by the trial and execution of the violent and misguided fanatic.

As stated in the *Encyclopedia of Mississippi History*, in his last message to the legislature of November, 1859, Governor McWillie presented at great length his views of the crisis, based on that point of view which had been inherited from the long-continued struggles for balance of power in Congress. He saw in the obvious desire of Congress to exclude slavery from California, Kansas and Nebraska, aggression by the North, a growing tendency towards a highly centralized government and an

utter disregard for the Constitution. The presidency, he said, was "the last and only department of the government from which we have any hope of protection." There was no longer any possibility of the South controlling Congress, and success of the Republicans would be a sectional triumph. With a Republican president at this juncture, "we would be a conquered people." He could see nothing ahead but degradation, and exhorted the State that if it were willing to accept such a situation "all the blood of the Revolution was shed in vain!", so profoundly had the deeds of John Brown in instigating the slaves in Virginia against their masters stirred the entire South.

"The Governor quoted the resolution of the Democratic State convention and recommended that 'you, by your legislation, should make it the duty of the then Governor, in the event of the election of a Republican to the presidency of the United States in November, 1860, to issue his proclamation ordering an election of delegates to a State convention to be holden on the first Monday of December next thereafter, and that said delegates be appointed to assemble at the capitol in the city of Jackson, on the 3d Monday of the said month of December, 1860, for the purpose of adopting such measures as may meet the exigency of the occasion. I would further recommend that you should adopt resolutions inviting the Southern states to coöperate with the State of Mississippi.'

"Governor McWillie's idea of what the convention of Southern states should do was that the states should league to demand a constitutional amendment that 'no law affecting the institution of slavery, or imposing indirect taxes should ever be enacted unless it should receive a majority of the votes of the senators from the slaveholding states.' To bring the North to terms on this, he would have the Southern states levy a tax of 25 per cent on northern imports. If the North refused these 'just demands', the 'blame and the ruin would be at her own door.' He thought it better to 'give the Union another chance for life' and said: 'Secession or disunion is death, while a refusal to pay taxes is but a violent disease from which the body politic may recover.' If it were objected that this was nullification, he replied that the North had nullified the fugitive slave laws.

"In view of the federal relations the Governor urged the arming of the militia, particularly the volunteer companies. 'The

mouth of a cannon and the glitter of steel,' he said, 'are arguments of power much stronger than those of the brain. Men are much the same in every age and nation, and the universal experience of mankind has been that the coercive power of the government is often necessary to the preservation of the laws. This has been recently manifested in the atrocious Abolition outbreak at Harper's Ferry, which might have as readily occurred in Mississippi as in Virginia.' "

FIRST TERM OF GOVERNOR PETTUS

On November 21, 1860, John J. Pettus was inaugurated Governor of Mississippi. It was significant that the military feature of the procession was most prominent. In fact, it was very apparent that since the John Brown raid and massacre and the resultant excitement over the combined aggressions of the abolitionists, there had been unusual activity in the military department of the State. In his inaugural address the Governor remarked with significant emphasis: "The scene at Harper's Ferry is not the end, but, in my opinion, only the beginning of the end of this conflict. The southern citizen left to this unequal contest for his property with societies, churches and states, must abandon his right for want of an adequate remedy, unless the Southern states make the cause of the citizen the cause of the State, and enforce his *constitutional* right by retaliating on the citizens of those states that have passed laws to defeat the rendition of fugitive slaves." He declared his belief that the movement contemplated the "probable enforcement here of the same policy in relation to the social equality of the races which has disgraced the statute book of Massachusetts and degraded her people to a level with the Africans."

The remedy the Governor proposed was "the moral influence of a united South, preparing to resent further insults and, unyielding, resent further aggressions." He would raise the banner of a national party with the motto "Superiority and Supremacy of the White Race," and he believed it would rally a million of free white men in the north and the cry of "save this glorious Union" for the white race that founded it would be raised even in the Republican ranks. He believed the only effective counter movement was to endanger the unrestricted commercial intercourse of the North with the South. In conclusion, he an-

nounced that if the Republican party elected its president in 1860 "I shall regard the institution of slavery so seriously threatened as to justify Mississippi in asking for a convention of all the states interested in its perpetuation. To this council Mississippi will send her truest and best men, and, when a line of policy shall have been marked out, she will be found willing and ready to maintain her inalienable right of self-government, even if compelled to defend it by a war as long as that by which it was purchased. To nerve and sustain her in such a conflict the South has a better cause, double the population and twenty times the resources of the thirteen colonies, and if we have only half the courage we may yet remain free."

The legislative majority lost sight of nearly every other matter of public interest, the vital issues between North and South now being considered of more importance. The prevailing sentiment of the legislature found voice in its appropriation of $150,000 to arm the State troops. The fund was to be raised from "future revenues" for arming volunteer companies and creating a military organization of four regiments.

On January 23, 1860, Governor Pettus sent to the legislature the resolutions adopted by the South Carolina legislators reaffirming the right of their State to secede and now calling upon the other Southern states to meet and "concert measures for united action." The chief executive of Mississippi suggested that while preparing for such a meeting revenue laws should be enacted by his State "to make her commerce less profitable to those who make war on her rights." Toward that end he recommended a tax of ten per cent on all goods and manufactures imported from without the State, and, to discourage northern literature, the requirement of licenses in each county for book agents.

MARSHALLING THE POLITICAL FORCES IN 1860

The great political struggle of 1860 was inaugurated by the contest in the national house of representatives over the speakership, the regular Democrats and the Douglas Democrats being beaten by the Republicans, with the assistance of a New York Democrat, and the Republican candidate John Sherman, of Ohio, being elected speaker.

From April to June, 1860, the different political parties into

A TYPE OF THE MISSISSIPPI WOMAN, 1820-1860

From "Dem Good Ole Times", by Mrs. James H. Dooley
Illustrated by Suzanne Gutherz

which the people of the country had split over the States Rights issue met in convention to nominate their presidential candidates. The Democratic national convention assembled first at Charleston, South Carolina, the Mississippi delegation consisting of the following able and scholarly representatives: Jefferson Davis, L. Q. C. Lamar, W. S. Barry, Jacob Thompson, Charles Clark, J. W. Matthews and S. J. Gholson. The Mississippi delegates, with those from Alabama, Florida and Texas, insisted that the Democratic platform must declare for protection by congress of slave property as sanctioned by the Constitution of the United States. The Democrats of the North and the Northwest, led by Stephen A. Douglas, of Illinois, adopted a platform which was diametrically opposed to the principles of the Southern party and the delegates of the four states named, with other scattering representatives, withdrew from the Charleston convention. After those who remained had ballotted 57 times without being able to agree upon a candidate, the convention adjourned to meet in Baltimore on the 18th of June.

At Baltimore, Mississippi and South Carolina refused to participate unless all the delegates from the Southern States were admitted to the convention. As there were contests, decided agains the anti-Douglas representatives, the Southern party again withdrew, and the remainder of the convention nominated Douglas for President.

Finally, in June, the delegates from the Southern States again met in Baltimore and nominated John C. Breckinridge, of Kentucky, for the presidency.

Meanwhile in May the Republicans had nominated Abraham Lincoln at Chicago, and the Union party had held a convention at Baltimore and presented John Bell of Tennessee as its standard bearer. Of course, in Mississippi the chief contest was between the Democratic and Union candidates, and both parties had big rallies at Jackson, Natchez, Vicksburg and elsewhere. As was anticipated, the State gave an overwhelming majority to Breckinridge. The vote was thus divided: Breckinridge, 40,797; Bell, 25,040; Douglas, 3,283.

Throughout the country of the popular vote Lincoln had 1,857,610; Douglas, 1,291,574; Breckinridge, 850,082, and Bell, 646,124.

THE LEGISLATURE CALLS A CONSTITUTIONAL CONVENTION

On the 13th of November following the election of Lincoln, Governor Pettus issued a proclamation calling upon the legislature to provide "surer and better safeguards for the lives, liberty and property of her citizens than have been found, or are to be hoped for, in Black Republican oaths." He also invited the congressional delegation to meet him in conference at Jackson. All attended the meeting except McRae. There was considerable diversity of opinion as to what action should be recommended. Finally the proposition of Reuben Davis was carried that the Governor should recommend a convention to consider immediate secession. Governor Pettus then presented a telegram from the Governor of South Carolina asking advice as to whether the ordinance of secession then before its legislature should take effect immediately or on the 4th of March. The votes of the chief executive and Congressmen Reuben Davis, O. R. Singleton and William Barksdale, were promptly cast in favor of "immediately." Reuben Davis was not related to Jefferson Davis nor a close associate, though with Pettus, McWillie, Lamar, Jefferson Davis, Barksdale, Jacob Thompson, Barry and other leaders he held strong States Rights views.

When the legislature convened at Jackson on November 26th, 1860, the message of the Governor was immediately delivered. He declared in substance that the question to be considered was the most solemn that had ever engaged the attention of any legislative body on the continent and expressed the opinion that the Northern States had disregarded and overridden the Constitution of the United States in the matter of slavery, which plainly foretold an utter contempt in future of that sacred compact between the States. Such proceedings would inevitably bring about separation, and the North had only to decide whether it should be a peaceable separation or otherwise. On the question of slavery he held that the States should decide whether its abolition should be peaceable, or speedy and violent. He concluded: "That Mississippi may be enabled to speak on this grave subject in her sovereign capacity I recommend that a convention be called to meet at an early day."

Two days after the legislature convened, the Governor's recommendation was carried into effect by the passage of a bill re-

As emblems of sovereignty seven flags have waved over the State of Mississippi:

FLAG OF SPAIN, 1512-1699

FLAG OF FRANCE, 1699-1763

FLAG OF ENGLAND, 1763-1779

FLAG OF SPAIN, 1779-1798 AND 1812

FLAG OF THE UNITED STATES, 1798-1861

THE MAGNOLIA FLAG OF MISSISSIPPI, 1861-1894

FLAG OF THE CONFEDERACY, 1861-1865

FLAG OF THE UNITED STATES, 1865-

FLAG OF MISSISSIPPI, 1894-

THE MAGNOLIA STATE FLAG, 1861-1894

Adopted by the Constitutional Convention of 1861

ported by Charles Clark, of the House of Representatives, providing for the election, on December 20th, of county delegates to such a convention. The delegates elected, who were to equal the number of representatives in the legislature, were to assemble on the 7th of January, 1861, "to consider the then existing relations between the government of the United States and the government and people of the State of Mississippi, and to adopt such measures of vindicating the sovereignty of the State, and the protection of its institutions as shall appear to them to be demanded." The plan to defer final action until the other Southern states could be consulted was voted down in the senate by 27 to 3, and the resolution was adopted by a large majority, that "in the opinion of those who now constitute the State legislature, the secession of each aggrieved State is the proper remedy for these injuries." Another resolution requested the State officers to prepare a device for a coat of arms for the State of Mississippi, ready to present to the convention in January.

According to legislative action, Governor Pettus appointed the following commissioners to visit the other Southern States, inform them of the action taken by the Mississippi legislature and express the earnest hope that they would coöperate with her in "the adoption of efficient measures for their common defense and safety:" Henry Dickinson, to Delaware; A. H. Handy, Maryland; Walker Brooke and Fulton Anderson, Virginia; Jacob Thompson, North Carolina; G. S. Gaines, Florida; W. L. Harris and Thomas W. White, Georgia; W. S. Featherston, Kentucky; Thomas J. Wharton, Tennessee; Joseph W. Matthews, Alabama; Daniel R. Russell, Missouri; George R. Fall, Arkansas; Wirt Adams, Louisiana; H. H. Miller, Texas; C. E. Hooker, South Carolina. Mississippi was herself visited by like commissioners from the States mentioned.

MISSISSIPPI PASSES ORDINANCE OF SECESSION

On the day that the different counties of Mississippi elected delegates to the convention called by Governor Pettus, the legislature of South Carolina passed the ordinance of secession which severed the latter State from the Union and made it an independent republic.

A caucus preceded the meeting of the Mississippi convention, at which its work was outlined according to a plan largely formu-

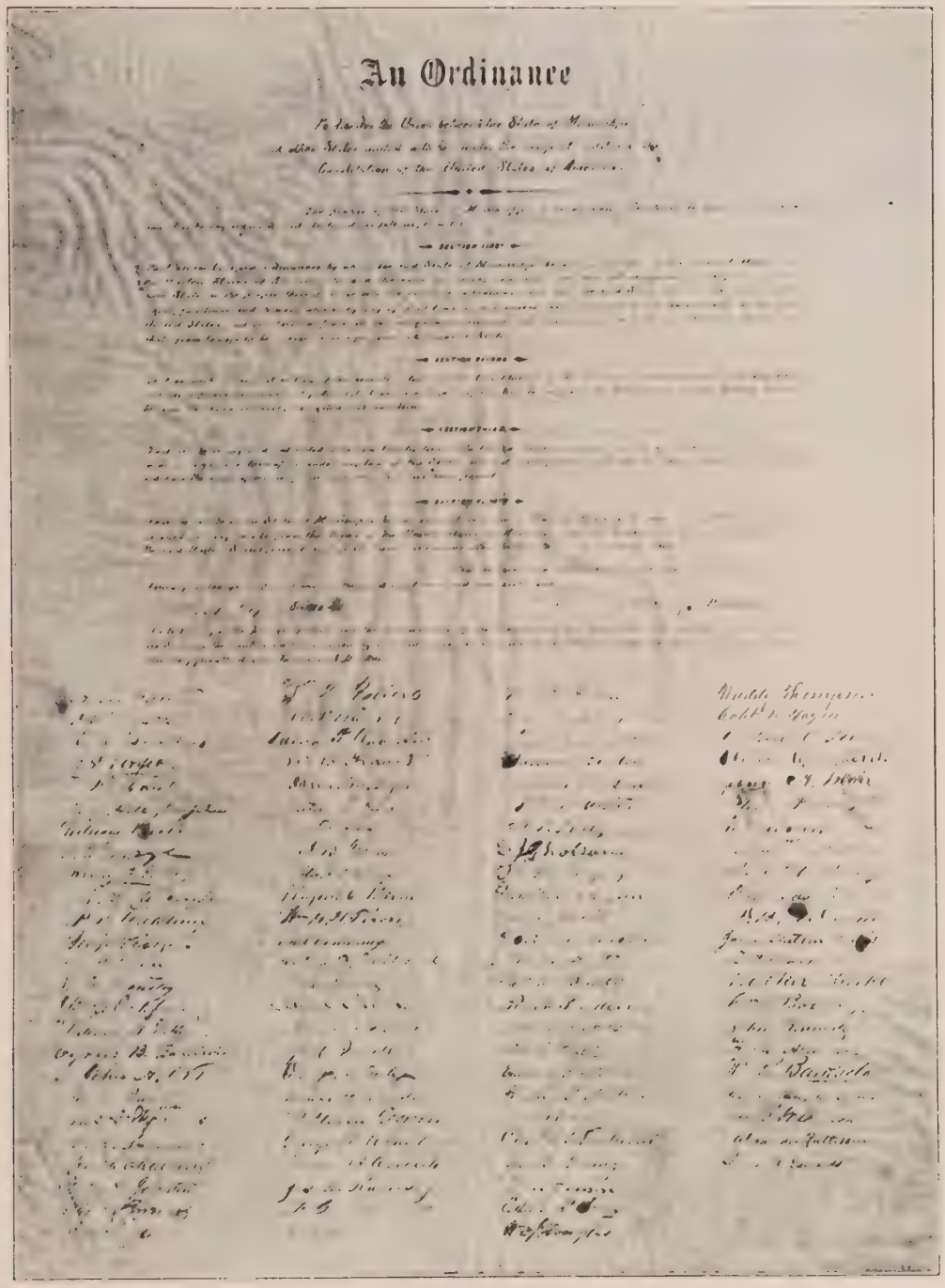
lated by the gifted L. Q. C. Lamar. The delegates were broadly defined as Democrats and Whigs—84 of the former to 25 of the latter; but the diversity of sentiment was well indicated by the political subdivisions designated as State Rights Democrat, Southern, Southern Rights, Secession Whig, Secession Democrat and plain Secessionists.

On the date designated (January 7, 1861) the convention was called to order by Samuel J. Gholson, an able Kentuckian and lawyer, of Mississippi, a leading citizen of thirty years standing who had served several terms in congress and been an honored incumbent of the federal bench in Mississippi for twenty-one years. He was most intimately associated with Jefferson Davis, personally, politically and officially.

Henry T. Ellett was called to the chair. He was an eminent lawyer of Claiborne County, had served out the unexpired congressional term of Jefferson Davis which ended March 3, 1847, had been associated with Judge Sharkey in compiling the code of 1857, and had been a leader in the State senate for a number of years.

William S. Barry, a well educated lawyer and a prosperous planter of Columbus, was elected permanent chairman of the convention. He had also served in congress and a number of years in the legislature, of which he had been speaker of the house. James L. Alcorn, Mr. Barry's chief competitor for the permanent chairmanship, was one of the prominent Whigs of the State, but was beaten by Mr. Lamar for congress in the famous campaign of 1857. In the convention proceedings he was one of the most earnest opponents of secession.

The convention at once took up the vital question of secession. On motion of Mr. Lamar, a committee of fifteen was appointed by President Barry "with instructions to prepare and report as speedily as possible an ordinance providing for the withdrawal of the State of Mississippi from the present Federal Union, with a view to the establishment of a new Confederacy to be composed of the seceding states." On the following day, January 8th, the committee was announced to consist of L. Q. C. Lamar, W. P. Harris, S. J. Gholson, J. L. Alcorn, H. T. Ellett, Walker Brooke, H. R. Miller, J. A. Blair, A. M. Clayton, Alfred Holt, J. Z. George, E. H. Saunders, Benjamin King, G. R. Clay-


An Ordinance

FACSIMILE OF "AN ORDINANCE TO DISSOLVE THE UNION BETWEEN THE STATE OF MISSISSIPPI AND THE OTHER STATES UNITED WITH HER UNDER THE COMPACT ENTITLED THE CONSTITUTION OF THE UNITED STATES"

ton and Orlando Davis. Of the foregoing, Alcorn, Brooke and Blair—leading Whigs—opposed secession.

On the following day, January 9th, the convention went into secret session to consider the ordinance which had been reported. Late in the afternoon it met in open session and L. Q. C. Lamar, as chairman of the committee of fifteen, reported "An Ordinance to dissolve the Union between the State of Mississippi and the states united with her under the compact entitled the Constitution of the United States."

Judge William Yerger, who had sat with honor on the bench of the High Court of Errors and Appeals, was a Whig anti-secessionist. He therefore offered a substitute for Mr. Lamar's measure entitled "An Ordinance providing for the final adjustment of all difficulties between the free and Slave states of the United States by securing further constitutional guarantees within the present Union." The substitute was promptly rejected by a vote of 78 to 21.

James L. Alcorn then offered an amendment that the proposed ordinance should not go into effect until Alabama, Georgia, Florida and Louisiana had resolved to secede, and Walker Brooke another, that it should not take effect until it had been submitted to the people at an election to be held on the second Monday of February. Both amendments were rejected.

The Mississippi convention, as a body, was prepared to second the advice of the Governor regarding the South Carolina ordinance—that it should go into effect immediately.

All compromises having been rejected by the majority, the Lamar ordinance was adopted by a vote of 84 to 15. When the overwhelming sentiment of the convention became evident, several of the Whigs voted "aye." The most notable examples of this change were afforded by Alcorn and Brooke. In explanation of his final vote, Alcorn said: "The die is cast—the Rubicon is crossed—and I enlist myself with the army that marches on Rome." And Brooke: "I have failed. Should I vote against the ordinance after what has passed, I should vote to do nothing. Shall this convention adjourn without action? Should we do so, we would make ourselves subject to the scorn and ridicule of the world. Perhaps already the waters of Charleston harbor are dyed with the blood of our friends and countrymen. I vote aye."

A stirring and graphic description of the passage of the ordi-

nance as reported by Colonel Lamar is contained in Mrs. Dunbar Rowland's *History of Mississippi's Old Capitol* in the Official and Statistical Register of 1917. Mrs. Rowland says:

"A strained and eager audience received the instrument amid a silence so intense as to be oppressive. As slowly and with suppressed emotion, the passages, one by one, were read, a number of hearts in the solemn assembly seemed well nigh bursting as their deep significance dawned upon the mind. But nothing could stem the tide that had set in against the encroachment of power in the national government, and the only means with which this usurpation could be met was resistance. That discipline of mind that marked men's actions at a later period, was not theirs. They knew no way to parry the blow, to match the power of wrong thinking with the power of right thinking, but true to the ideals of chivalry and knighthood, accepted the challenge.

"And now there remained nothing to complete the great drama but the final act. Would it take place? The hearts of men stood still. The hour was big with destiny; not only the destiny of one people, but that of much of the human race hung in the balance. The Muse of History held her pen aloft, breathlessly, expectantly, yet withal admiringly, for the flower of a great race surrounded her, and not the Parthenon of the Greeks, nor the Pantheon of the Romans was more suggestive of historical import than the stately edifice to which this grave goddess had wended her way that day.

"The picture was complete, and, in addition to its superb historical setting held an indescribable charm, for without, the voices of children were heard in the street, the odor of early violets and hyacinths crept in through open casements, the dark green of the live oak and magnolia glistened beneath the soft, mild beams of a Southern sun, filling with light and beauty the winter sky, and but for the anxious groups gathered in the porticos and open courts of the great building the domestic life of the people seemed undisturbed. Within, all was seriousness, gravity, deep concern, with here and there a still white face, upon whose tense lineaments seemed to be gathering the shadow of some impending sorrow. But while over the scene hung a solemnity, as if were taking place some solemn confirmation of souls, some sacred sacrament of the bread and wine, far flung from other years their eyes had caught the radiant light that lit the pathway of Swit-

zerland's Confederates resisting the oppression of Austria, of Cromwell leading his Ironsides against the proud cavaliers of Charles; of Kossuth defending with deathless devotion his sweet Hungary; of Kosciuszko dying for the liberty he could not give his beloved Poland; of Washington leading their own ancestors against the tyranny of the Crown. Throughout the ages it had lit men's faces wherever Liberty unfurled her flag, and finding here a native atmosphere burst into a living flame.

"The hour would rank with any in the history of the world, when the solemn vote was taken and the announcement made that Mississippi had severed her connection with the American Union—had sacrificed all in defense of State sovereignty. A great wave of excitement swept the audience, and grave and dignified men, swayed by a common impulse, joined in the deafening applause. In an instant the hall was a scene of wild tumult, and as the continuous cheering was borne through the corridors and down the stairways of the stately edifice, reaching the anxious throng without, a great shout rent the air—exultant, defiant and thrilling with a fierce note as if born of some sudden memory of the jungle. Again and again it swept out over the city and along the river, mingling with the sudden boom of cannon.

"Each moment the scene grew more dramatic, gathering in color and intensity, as through the throng was borne a magnificent blue silk banner upon whose stately folds glittered a single white star. As the emblem was carried into the hall and presented to the president of the convention, who reverently held it aloft, the audience, thrilled with its beauty and significance, sprung to their feet, and, amid wild applause, saluted the first flag of the young republic. Fluttering in the soft light, as if uncertain of itself, it seemed to possess the shy, seductive charm of youth, and as they beheld it with admiring eyes, they felt it no sacrifice to pledge their lives in defense of its honor. Among the ensigns of the world it trembled and floated like nebula loosed from some dissolving planet, but withal of a quality so rare and vibrant that it would forever typify a living substance. Dear to their hearts in the first hour of its history, dearer still it grew when its beautiful folds were baptized in the life-blood of its defenders, to henceforth become one of the historic flags of the world.

"The emblem had been made, evidently for the present occasion, by Mrs. Homer Smythe, of Jackson, Mississippi, and repre-

sented in its sudden inspiration and beautiful fashioning the impulsive love and devotion to country which characterized the women of the Confederacy.

"The Irish comedian, McCarthy, filling an engagement at the Jackson theatre, found his profession tame and uninteresting after witnessing the thrilling scene in the Mississippi State Capitol; and stirred, no doubt, by pathetic memories of his own dear land, abandoned for the moment the 'lighter vein,' and with imagination fired, contributed to the new republic its first battle song —the famous 'Bonnie Blue Flag'—in honor of the beautiful silk banner which had won his admiration that day. The verses were printed in the city paper the next day by Col. J. L. Power. They were immediately set to music and sung for the first time in the Jackson Theatre. A week later the song was heard on the streets of New Orleans and in many Southern and some Northern cities. It finally became one of the most popular songs of the Confederacy."

On January 10, 1861, the day after the passage of the Mississippi ordinance, Florida adopted a similar measure, and on January 11th Alabama joined the Southern Confederacy.

The last formal step by which the ordinance of secession was incorporated into the body politic of Mississippi was taken January 15th, when the members of the convention came forward to sign that document as individuals. With the exception of J. W. Wood, of Attala, and J. J. Thornton, from Rankin County, all affixed their signatures to the paper. Thornton was a captain of the Rankin Guards, and was soon in the field as a Confederate soldier.

Having thus formed Mississippi into a sovereign republic, the convention adopted resolutions recognizing the "sovereign and independent nations of South Carolina, Alabama and Florida," and its members entered into a prolonged debate as to the steps to be taken to merge the republic of Mississippi into the Southern Confederacy.

WITHDRAWAL OF THE CONGRESSIONAL DELEGATION

The Mississippi senators and representatives in Congress after the determined action of the State prepared to withdraw from their Union associates at Washington, the action of the secession convention soon becoming known to them. With the

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THE "BONNIE BLUE FLAG"

exception of Senator Jefferson Davis, they relinquished their seats soon after receiving the telegraphic notification from President Barry. All of the others departed from the federal capital on January 12, 1861. These included Mr. Davis's associate in the senate, Albert G. Brown, and Congressmen William Barksdale, Reuben Davis, L. Q. C. Lamar, John J. McRae and Otho R. Singleton.

As Jefferson Davis continued to hold his seat in the United States senate for more than a week after the telegraph and the press had made the fact generally known that Mississippi had seceded from the Union, the explanation of his course is given in his own words:

"Telegraphic intelligence of the secession of Mississippi had reached Washington some considerable time before the fact was officially communicated to me. This official knowledge I considered it proper to await before taking formal leave of the senate. My associates from Florida and Alabama concurred in this view. Accordingly having received notification of the secession of these three States about the same time, on January 21st, Messrs. Yulee and Mallory, of Florida, Fitzpatrick and Clay, of Alabama, and myself, announced the withdrawal of the States from which we were respectively accredited and took leave of the senate at the same time."

In his farewell address, Senator Davis drew a clear distinction between the right of seceding from the Union, and the nullification of the laws while remaining in it. To the senators of the North he said in behalf of his people: "They hope and I hope for peaceful relations with you, though we must part," at the same time assuring them that if it was to be war they would meet it manfully. Mr. Davis remained another week in Washington, and, notwithstanding that he was ill, made numerous speeches on his trip home. His general warning was to "prepare for a long and bloody war."

TEXT OF THE ORDINANCE OF SECESSION

The text of the ordinance of secession, the passage of which by the convention made necessary the promulgation of a revised State constitution, is as follows:

The people of the State of Mississippi in Convention assembled do ordain and declare, and it is hereby ordained and declared as follows, to-wit:

Section 1st.—That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America, be and the same are hereby repealed, and that all obligations on the part of the said State or the people thereof to observe the same, be withdrawn and that the said State doth hereby resume all the rights, functions and powers which, by any of said laws or ordinances, were conveyed to the government of the said United States, and is absolved from all the obligations, restraints and duties incurred to the said Federal Union, and shall from henceforth be a free, sovereign and independent State.

Section 2nd. That so much of the first section of the seventh article of the Constitution of this State as requires members of the Legislature, and all officers, executive and judicial, to take an oath or affirmation to support the Constitution of the United States be, and the same is hereby abrogated and annulled.

Section 3rd. That all rights acquired and vested under the Constitution of the United States, or any act of Congress passed, or treaty made in pursuance thereof, or under any law of this State, and not incompatible with this ordinance, shall remain in force and have the same effect as if the Ordinance had not passed.

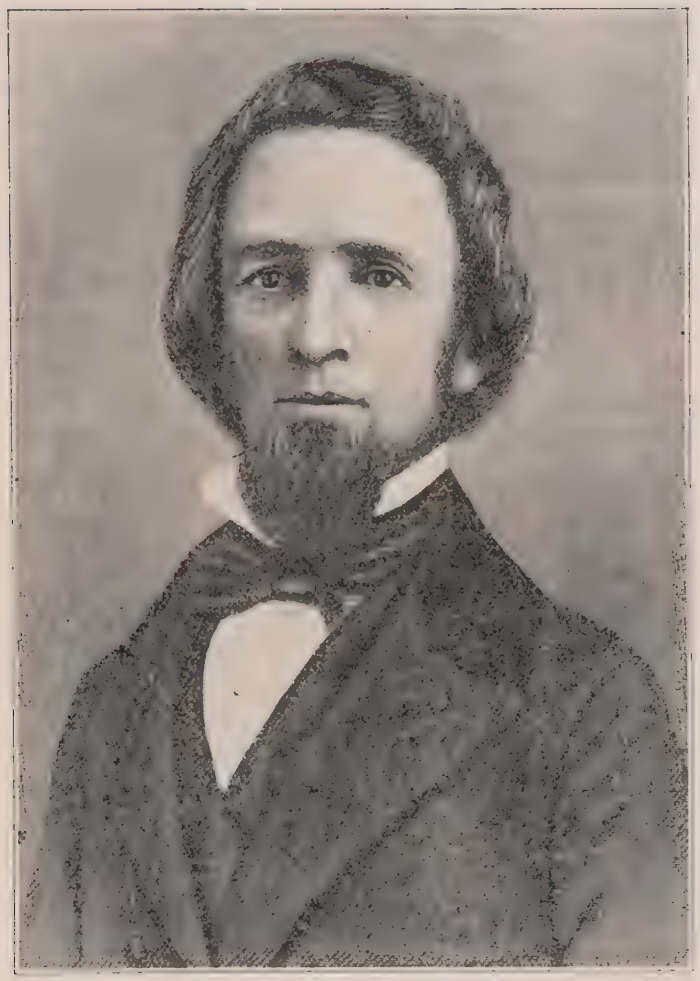
Section 4th. That the people of the State of Mississippi hereby consent to form a Federal Union with such of the states as may have seceded or may secede from the Union of the United States of America upon the basis of the present Constitution of the said United States, except such parts thereof as embrace other portions than such seceding states.

Thus ordained and declared in Convention in the year of our Lord One Thousand Eight Hundred and Sixty-one.

F. A. Pope, Secretary William S. Barry, President.

In testimony of the passage of which, and the determination of the members of this Convention to uphold and maintain the State in the position she has assumed by said ordinance, it is signed by the President and members of the Convention, this the fifteenth day of January, A. D. 1861.

A. K. Farrar	Albert C. Gibson	James M. Nelson
J. Winchester	Russell O. Beene	John B. Fizer
E. H. Sanders	Wm. H. H. Tison	Edward F. McGehee
J. S. Yerger	M. C. Cummings	Hugh R. Miller



COL. WILLIAM S. BARRY

D. W. Hurst	Arthur B. Bullard	R. W. Flournoy
Miles Hill McGehee	O. C. Dease	Chas. D. Fontaine
William Booth	Alfred E. Lewis	Jno. B. Herring
J. Z. George	Jno. S. Johnston	Wm. Denson
Henry T. Ellett	J. H. Powell	Edwd. P. Jones
J. L. Alcorn	O. Y. Neely	Wm. J. Douglas
P. S. Catching	Thomas H. Woods	Waddy Thompson
Benj. King	William Gwin	Caleb W. Taylor
S. H. Terral	George R. Clayton	Alfred C. Holt
W. F. Brantley	Wallace B. Colbert	Arthur E. Reynolds
Wm. O. Eckford	Jas. B. Ramsey	John A. Blair
William H. Witty	F. C. Semmes	Thomas P. Young
Cyrus B. Baldwin	L. Q. C. Lamar	W. W. Bonds
Jehu A. Orr	Tho. D. Isom	A. Miller
A. C. Powell	Alex. M. Clayton	Joel H. Berry
M. D. L. Stephens	J. W. Clapp	Orlando Davis
W. A. Sumner	Samuel Benton	D. B. Wright
Jas. R. Chalmers	Willis M. Lea	James Shelton Davis
Stephen D. Johnston	H. W. Walter	T. A. Marshall
Tho. Lewers	A. P. Hill	Walker Brooke
D. H. Parker	S. J. Gholson	Wm. S. Bolling
T. J. Roberts	F. M. Rogers	John Kennedy
W. P. Harris	Hamilton Mayson	F. M. Aldridge
Warren P. Anderson	Israel Welsh	Wm. R. Barksdale
W. B. Smart	David M. Blackstrom	Henry Vaughan Snr.
James M. Dyer	M. M. Keith	Geo. B. Wilkinson
Walter L. Keirn	Thos. C. Bookter	Alexander Pattison
D. C. Glenn	Porter J. Myers	James H. Edwards
J. B. Deason		

The drafting of the Mississippi ordinance of secession has been properly attributed to L. Q. C. Lamar, chairman of the committee, and Judge Clayton, one of the leading members of the convention.

CONFORMING TO NEW CONDITIONS

The convention which promulgated the ordinance of secession in behalf of the people of Mississippi remained in session until January 26th, revising, amending and readopting the constitution of the State, and passing necessary ordinances to protect, as

far as possible, the interests of the new Commonwealth. Among the latter were measures to immediately reorganize the military system of Mississippi under four brigadier generals and one major-general to constitute, with the Governor, a military board with broad powers; levying a heavy tax for a military defense fund and providing for the issue of treasury notes not to exceed $1,000,000, to be applied to the same fund; authorizing the appointment of delegates to the proposed convention at Montgomery for the purpose of forming a Southern Confederacy; taking possession of the public lands and all property of the United States within the State; creating the office of postmaster-general and continuing the postal service as organized; appointing the senators and congressmen then serving to any Southern congress that should be convened; creating a council of three, appointed while the convention was in session and consisting of Warren P. Anderson, Madison McAfee and T. C. Tupper, to advise the Governor until the State should enter a Confederacy; regulating citizenship and providing for the purchase of military supplies.

January 23d, three days before the convention adjourned, was an important day in the work of preparing Mississippi for her part in the Southern Confederacy, about to be formed. Under the ordinance adopted that day to regulate the military system of the State, Jefferson Davis was elected major general and Earl Van Dorn, Charles Clark, James L. Alcorn and Christopher H. Mott, brigadier-generals. With the Governor, the foregoing officers constituted the Military Board to have entire control of the army and military property of the State. About the same time Richard Griffith was appointed adjutant general. The uniform adopted by the board was gray frock coat and trousers; red trimmings for infantry, yellow for cavalry and orange for artillery; hat of black felt looped up on three sides, with horse-hair pompon for men and plumes for officers.

On the same day that the military organization was effected, the convention elected, as delegates to the Montgomery congress, Wiley P. Harris, W. S. Wilson, Walker Brooke, A. M. Clayton, W. S. Barry, James T. Harrison, and J. A. P. Campbell. The discussion as to the most available public man to assume the presidency of the provisional government of the Confederate States of America had already begun throughout the South. Several names were proposed, but the general sentiment invariably returned to

As emblems of sovereignty seven flags have waved over the State of Mississippi:

FLAG OF SPAIN, 1512-1699

FLAG OF FRANCE, 1699-1763

FLAG OF ENGLAND, 1763-1779

FLAG OF SPAIN, 1779-1798 AND 1812

FLAG OF THE UNITED STATES, 1798-1861

THE MAGNOLIA FLAG OF MISSISSIPPI, 1861-1894

FLAG OF THE CONFEDERACY, 1861-1865

FLAG OF THE UNITED STATES, 1865-

FLAG OF MISSISSIPPI, 1894-

FLAG OF THE CONFEDERACY, 1861-1865

From Painting by N. Benson

Jefferson Davis as the strongest Southern man then before the public. His experience in actual warfare, as a State and National legislator and as Secretary of War, was so conclusive that when the Montgomery convention met Mr. Davis had no opposition.

Jefferson Davis was elected President of the Confederate States of America by the Montgomery congress on the 9th of February, 1861, and notified of the honor bestowed upon him at his Brierfield home. On the 18th he delivered his inaugural address at the State capitol, Montgomery. As provisional president he had been chosen by delegates from Mississippi, Louisiana, South Carolina, Alabama, Georgia and Florida, and to the representatives of these States he said impressively:

"As a necessity, not a choice, we have resorted to the remedy of separation; and henceforth our energies must be directed to the conduct of our own affairs and the perpetuity of the Confederacy which we have formed. If a just perception of mutual interest shall permit us, peaceably, to pursue our separate political career, my most earnest desire will have been fulfilled. But if this be denied us and the integrity of our territory and jurisdiction be assailed, it will but remain for us, with firm resolve, to appeal to arms and invoke the blessings of Providence on a just cause."

After Jefferson Davis was elected president of the Southern provisional government, he was succeeded by Earl Van Dorn as major general of the Mississippi State militia. Not long afterward, General Van Dorn and all the other officers and men of the State were absorbed by the Confederate States army.

MISSISSIPPI FORMALLY ENTERS THE SOUTHERN CONFEDERACY

At the call of President Barry, the Mississippi convention reassembled at Jackson on the 25th of March, 1861, for the purpose of ratifying the constitution of the Confederate States and of placing the State on a war footing. Even then, there was a respectable minority, led by Judge William Yerger, who could not reconcile themselves to secession and war, and endeavored to delay hostilities. Judge Yerger proposed to submit the ratification of the constitution to popular vote and others suggested a new convention to reconsider it. But all further delays or compromises were sternly voted down and the ordinance of ratification was

adopted by a vote of 78 to 7, on the 29th of March, 1861. The text of the ordinance reads:

"Be it ordained by the People of Mississippi in Convention assembled and it is hereby ordained by authority of the same, That the Constitution adopted by the Convention in Montgomery, in the State of Alabama, in the year of our Lord one thousand eight hundred and sixty-one for the permanent Federal Government of the Confederate States of America be, and the same is hereby adopted and ratified by the State of Mississippi acting in its sovereign and independent character, and the State of Mississippi hereby accedes to and becomes a member of the Confederacy provided for in said Constitution."

The convention remained in session for five days, further revised and enlarged the State constitution and adjourned on the 30th of March.

WAR MEASURES OF THE PETTUS ADMINISTRATION

On January 15, 1861, while the constitutional convention was yet in session the legislature assembled at the call of Governor Pettus. The ordinance of secession had been passed about a week previously and the convention was at work on the reformed constitution of the State. Under the circumstances, the legislature was shorn of its usual functions and adjourned after a week's session. Besides those already mentioned the convention adopted ordinances requesting the United States marshals to complete their work on the census, but otherwise to cease their relations with the Federal government; declaring lighthouses, marine hospitals, customhouses, the military property on Ship Island and the arms received from the United States, as the property of the State; and taking over as State funds, the two per cent, the three per cent and the Seminary funds.

In his message of January 18th, the Governor related the military operations in which the State was already involved—mainly the sending of seven companies to aid in the siege of Fort Pickens, Pensacola harbor. He said: "From the facts stated, the legislature will perceive that a state of hostilities already exists between the seceding states and the government at Washington, which may be soon followed by open war. It is yet possible that this may be averted. Justice and prudence on the part of the Southern people, in my opinion, may possibly avert it;

AN OFFICER OF THE CONFEDERATE STATES ARMY

AN INFANTRYMAN OF THE CONFEDERATE STATES ARMY

A CAVALRYMAN OF THE CONFEDERATE STATES ARMY

and, if not, will certainly mitigate its evils. But whether peace or war be the destiny of the State, a due observance of law and obedience to the constituted authorities are the only guarantees of a people for success, safety or civilization. We have embarked upon a stormy sea and much of the peril which attends our voyage is to be apprehended from the thoughtlessness and passions of our own crew. Law and order must prevail, or there is no safety for the ship. * * *

"I further recommend that the most prompt and efficient measures be adopted to make known to the people of the Northwestern States that peaceful commerce on the Mississippi River will be neither interrupted nor annoyed by the authorities or people of Mississippi."

THE WAR APPROACHING HOME SOIL

The first year of the war was, for Mississippians, a season of preparation for participation in the great conflict which had opened in Virginia after the Capital of the Confederacy had been moved from Montgomery, Alabama, to Richmond, and was reaching down the Mississippi Valley and up from the gulf coast. One of the keynotes of the Union military campaign against the South was the complete possession of the Southern Mississippi Valley and the driving of a wedge in the territorial unity of the Confederate States. In the great southwestern theater of war, Mississippi was to play a leading part; which was thoroughly understood by her public men.

The raising of war funds was already the vital problem of the State. As it was almost impossible to exchange its authorized treasury notes for gold and silver, and the railroads were also authorized to issue scrip for money, the circulating medium of the State was at a discount—even before actual hostilities commenced. Because of the alarming financial embarrassment of the State, the Governor asked the postponement of all legal sales on judgments as early in the war period as the first famous battle. His request was generously followed, for all such sales were postponed until after the close of the war and the courts of the State were suspended.

The bombardment of Fort Sumter, the secession of Virginia and the transfer of the Confederate Capital from Montgomery to Richmond—all within the early months of the war—spurred the

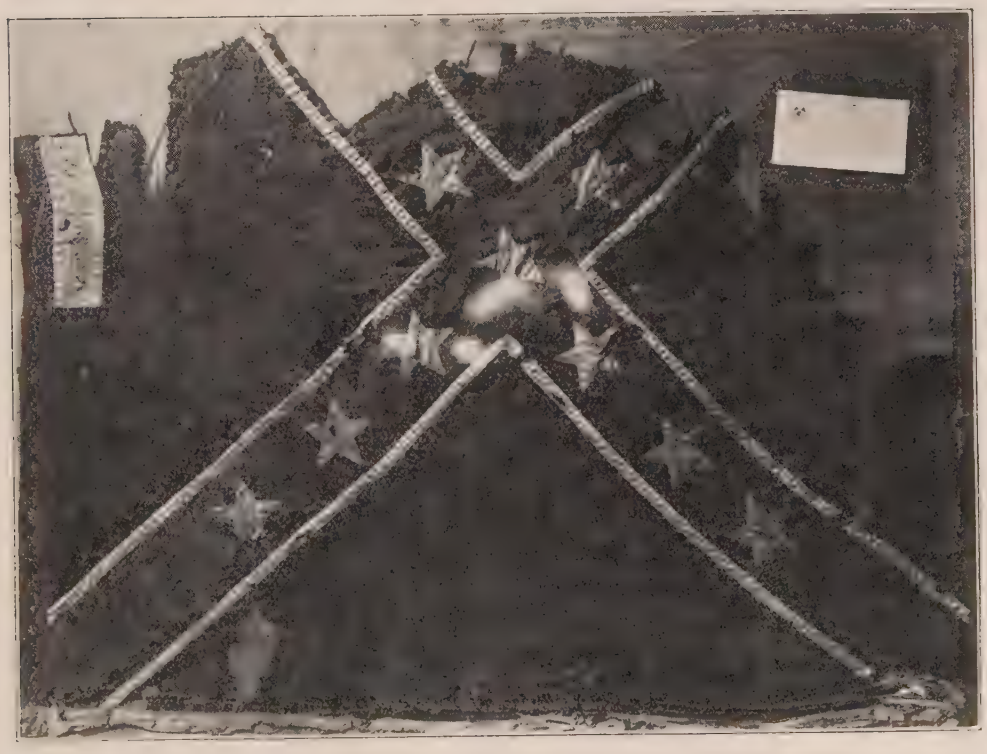
people of Mississippi to united action. Private donations to her war fund were plentiful, despite the uncertainty of her finances. While paying his tribute to this evidence of patriotism in support of the Southern cause, Governor Pettus insisted that such contributions should come from the State. For that purpose he urged an increased tax on slaves and land of one-fourth of one per cent.

In the meantime the Union forces had been approaching Mississippi from the North and from the South. Missouri and Kentucky had fallen under control of the Federal forces and it was early determined that the principal field of military operations for control of the Mississippi Valley would be south of Kentucky. It is not the purpose of this history to follow the War for Southern Independence throughout the Southern states except as it relates to Mississippi. The war had been prosecuted in an able manner by the Confederates in Virginia and elsewhere when General Grant moved his army up the Tennessee from Paducah, captured Fort Donelson and towards the latter part of March, 1862, encamped with his 39,000 men on the west bank of the river near Pittsburg landing and the little village of Shiloh. There he waited for General Buell with about an equal number of men. While thus waiting for reenforcements, the Confederates came out from Corinth and all but crushed him before Buell arrived. The fighting was fierce and brave on both sides, and the Confederates, after losing their able and intrepid commander, Albert Sidney Johnston, on April 6th, fought an unequal contest on that day and the next, and withdrew to Corinth. Shiloh, or Pittsburg Landing, is near the Mississippi line and Corinth is just over it. Early in June both Corinth and Memphis were in the hands of the United States troops. One of the two ironclad rams which were being built at Memphis was burned and the other was brought to Greenwood, Mississippi, on the Yazoo River, for completion.

In June, the mouth of the Mississippi River was blockaded by a Federal fleet, and its warships began raiding Mississippi Sound. It was impossible for the Confederates to hold Ship Island and the coast with two little lake steamers, a regiment of Mississippi troops and a few light guns. Their forces were therefore withdrawn in September and in the following month the island was occupied by a New England brigade.

In relation to Mississippi troops elsewhere in the Southern army, no sooner than the first battle of Manassas had been fought

BATTLE FLAG OF EIGHTEENTH MISSISSIPPI REGIMENT OF INFANTRY, C. S. A.



BATTLE FLAG OF THE NINETEENTH MISSISSIPPI REGIMENT OF INFANTRY, C. S. A.

and won by the Confederates, July 21, 1861, telegraphic news of the victory reached Mississippi on the following day, and on July 25th the legislature convened in special session for the purpose of sending relief to the hospitals. In that engagement, which so heartened the Confederacy, five Mississippi regiments participated as units of the Army of Northern Virginia. It was therefore particularly fitting, and brought the war home to the people of the State, when the Governor by proclamation of August 26th asked that provisions for the sick and wounded be immediately forwarded to the battle front in Virginia. Of the Mississippi regiments participating in the strife throughout the war note will be taken in special chapters devoted to the subject.

THE WAR IN MISSISSIPPI

The year 1862 made Mississippi the battleground for the possession of the great valley. In April and May of that year New Orleans was in possession of the Federals, and Natchez was surrendered to the Union fleet. The naval engagement at Fort Pillow, north of Memphis, and before the city itself resulted in the destruction of nearly all the Confederate steam rams by an overwhelming preponderance of Federal ironclads and guns. The Mississippi being thus cleared of Confederate defences north and south, the first siege of Vicksburg began in May, 1862, and continued for more than two months, without definite results.

In the meantime great armies had been gathering in northeastern Mississippi, the complete control of the Mississippi Valley depending on the results of decisive engagements in that part of the State, as well as the fate of Vicksburg. General Earl Van Dorn had been assigned to the command of the district of the Mississippi by the Confederate authorities and Grant was in command of the department of the Tennessee. Sterling Price was operating in the Corinth area, which had been evacuated by General Beauregard, and it was Grant's plan to cripple Price before Van Dorn could come to his relief. This strategy resulted in the battle of Iuka, in September, 1862. It proved an indecisive engagement. Van Dorn and Price united their forces, the former assuming chief command. The Confederate army of 22,000 men attacked Grant's united forces of more than twice its strength, at Corinth, and the resulting battle of October 3-4 was

one of the bloodiest of the war. It resulted in the retreat of Van Dorn's army to Holly Springs.

Immediately after the battle of Corinth, Grant commenced to move his army against Vicksburg. Of the stubborn sieges and heroic defense of the city which have become famed in military history, we shall hear again.

CONCLUSION OF THE PETTUS ADMINISTRATION

The second term of the Pettus administration was mainly devoted to the furnishing of men for the war, to provide a passable currency and maintain headquarters for the civil government of the State. On the first day of the regular legislative session in November, 1861, the legislature adjourned to attend the funeral of Col. Erasmus R. Burt, commander of the Eighteenth Mississippi regiment and former State Auditor, who was mortally wounded at the battle of Leesburg, Virginia, on the 21st of October. His body was brought back to Jackson, his home, and on the 4th of November his funeral was attended by the legislature in a body.

The Governor's message, based on the Adjutant General's report, indicated that 35,000 men of Mississippi were then enlisted for military duty, "which is," it stated, "probably a larger proportion of the adult male population than any other state or nation has sent forth to war in modern times; and when it is remembered that not one of these thousands has been required by law to enter the service, or constrained by any force save the patriotic desire to stand between the State and her enemies, Mississippi may well feel proud of her volunteer defenders." In conclusion: "I cannot close without paying a heartfelt tribute to the patriotic, self-sacrificing devotion exhibited by the women of Mississippi. If our brave defenders are supplied with clothing sufficient to keep the field in the winter campaign, the country will be indebted for it to the patient toil of the daughters of the South."

Two issues of notes were authorized by the legislature to provide a currency for the soldiers and for the cotton planters. An issue of treasury notes to the amount of $5,000,000 was authorized, and were to be advanced on cotton. Any owner of cotton could obtain them to the amount of its value at five cents a pound, on promising to deliver it when the Governor called for it. Sev-

CURRENCY OF THE STATE OF MISSISSIPPI ISSUED DURING THE CONFEDERATE PERIOD

The portrait is that of Governor J. J. Pettus

eral banks of issue were also chartered, on condition that they receive the treasury notes at par. The bank notes were to be receivable for taxes.

A separate military fund was created. Although authorized to be covered by an issue of $2,500,000 of treasury notes, only about $1,600,000 was actually placed in circulation; which included $500,000 appropriated to the relief of destitute families.

The cotton notes which were issued up to the authorized limit of $5,000,000 became the principal currency of the State.

When the legislature met in special session on the 17th of December, 1862, Grant and Sherman were marching southward for the second Federal invasion of Mississippi and investment of Vicksburg. Three days later, Governor Pettus urged a general enrollment of the white population of the State between sixteen and sixty years of age for military service, and the employment of sheriffs, magistrates and constables as military aids to regulate the enrollment and distribution of "all who owe service to the country and either neglect or refuse to perform it." The provision made for the relief of dependent families of soldiers was inadequate. "Owing to the drought of the past season," he explained, "which extended over a large portion of the State and the necessity of calling more men into the field, the number of destitute families will be greatly increased, and thereby add largely to the wants of our people, who are even now in some districts suffering for bread." He thus scored the profiteers: "The exorbitant prices asked for every article of food by those who are engaged in buying and selling for profit and many who produce them, are putting the means of living beyond the reach of many of our poor citizens. If permitted to go unchecked, it will transfer the property of the country to the hands of the worst and least patriotic of our population." Profiteering at that period when patriotism called for every sacrifice was regarded as a social disgrace and the boycott was used in many instances against those who prospered by illegitimate gain.

The importance of defending Vicksburg in the scheme of holding the Confederacy intact was evident by the visit of President Davis and General Joseph E. Johnston to the section embracing the Mississippi stronghold. The visit was made a few days after the December meeting of the legislature. General Johnston had been assigned to protect the Mississippi Valley from Federal in-

vasion. On the 26th of December, 1862, both the distinguished members of the Southern Confederacy addressed the legislature and a large audience of citizens. Jackson was the depot of supplies for the Vicksburg garrison defended by General Pemberton. As the campaign advanced, it became evident that Grant's plan was to isolate Vicksburg before actively besieging it. Finally, with the coöperation of Porter's fleet, he was able to land a strong force south of Vicksburg, the siege of which began in earnest on May 18, 1863.

General Johnston collected a strong body of troops at Jackson, but before he could relieve Pemberton, Sherman in command of three Federal army corps intervened. From the 7th to the 16th of that month Sherman's army was besieging Jackson which was defended by General Johnston. On the 16th of July Johnston evacuated the State capital and withdrew his army to Meridian. The Federal army occupied Jackson for a second time, Sherman continuing the destruction of public and private property. If Johnston had joined Pemberton it is doubtful if Grant could have taken Vicksburg at that time. The place was subjected to a siege of forty days, when it was finally surrendered by the wasted and starved defenders on July 4th, 1863.

After Sherman's first occupancy of Jackson in May, 1863, following the battle of Raymond, the seat of government was moved to Enterprise, Clarke County; thence to Meridian, Lauderdale County, in June; to Jackson and Meridian again, in the following month; to Macon, Noxubee County, in August; and to Columbus, Lowndes County, in October, 1863. A portion of the State's archives traveled with the government from place to place; the part that remained suffered with the invaded city, to which the torch was twice applied.

The disorganization of State affairs and institutions during this period of military occupancy by the enemy was very great. On the first approach of Grant's army twenty-five convicts in the State penitentiary, said to be unfriendly to the Confederacy, were transferred to the prison at Wetumpka, Alabama; others were pardoned and mustered into the Confederate army and the remainder were turned loose. The penitentiary, really a great manufactory, mainly military, making the State a profit of $60,000 a year, was entirely destroyed on Sherman's first visit. The lunatic asylum did not suffer except the damage done the fencing

and outbuildings during the attack in July. The Deaf and Dumb and the Blind institution buildings were taken by the Confederate authorities as hospitals. The buildings of the first suffered considerably during the attack. The Blind Institute was moved to Monticello and kept in operation, but only three of the deaf and dumb were held together. Numerous private residences and whole business blocks were burned, the city receiving the name of "Chimneyville" from a traveler through the country.

The State armory, which had been brought from Panola to Brandon earlier in the war, was moved to Meridian, where temporary buildings were erected for reception of the machinery, unfinished guns and guns out of repair and ordinance stores on hand. But the effectiveness of the armory was practically destroyed.

The Supreme Court was authorized to meet wherever and whenever convenient, but it was, in fact, practically suspended from 1861 to 1865.

The funds of the State treasury were first taken to Enterprise, thence to the Bank of Mobile and thence, after the fall of Vicksburg, to the Central Bank of Montgomery.

At the close of the Pettus administration, November 16, Mississippi had a debt of about $8,000,000, mostly in the form of treasury notes; but $600,000 of the cotton notes had been paid back into the treasury.

Governor Pettus was not a candidate for reelection. After the war, he moved to Arkansas, where he died in January, 1867. His administration was cast during a stormy period but he sustained the State's honor and his own in a manner that was highly creditable.

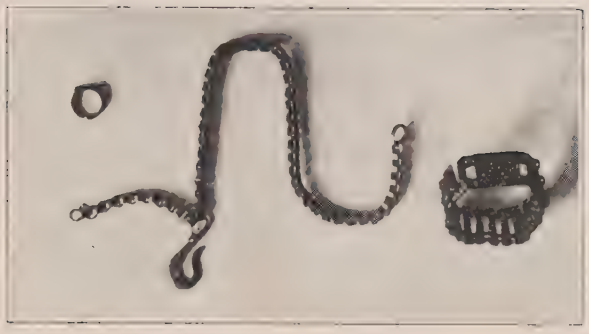
EFFECTS OF EMANCIPATION IN MISSISSIPPI

The practical effects of the emancipation proclamation which had been issued to take effect January 1, 1863, upon the progress of the war were first demonstrated in Mississippi. Less than three months after the slaves were freed by Lincoln in the resisting states—those that dwelt in conquered or sympathetic territory were still kept in bondage by the proclamation, Lorenzo Thomas, Adjutant General of the Union army, was dispatched by the War Department to explain to Grant and other officers operating in the Mississippi Valley the importance of utilizing

the labor and military strength of the negro population. Among the special instructions which General Thomas received from Secretary of War Stanton were these:

"You will cause it to be understood that no officer in the United States service is regarded as in the discharge of his duties under the acts of congress, the President's proclamation and the orders of this department who fails to employ to the utmost extent the aid and coöperation of the loyal colored population in performing the labor incident to military operations and in performing the duties of soldiers under proper organization, and that any obstacle thrown in the way of these ends is regarded by the President as a violation of acts of congress and the declared purposes of the government, in using every means to bring the war to an end. You will ascertain what military officers are willing to take command of colored troops, and if troops can be raised and organized, you will so far as can be done without prejudice to the service, retire officers and privates from the service in which they are engaged to receive commissions in the brigades, regiments and companies of colored troops; and to organize such troops for military service to the utmost extent to which they can be obtained in accordance with the rules and regulations of the service."

At the same time orders were issued to General N. P. Banks, at New Orleans, to immediately raise a large military force from the negro population of Louisiana, and several regiments of negroes had even been raised before Adjutant General Thomas had formally announced the policy of the administration. The great expectations held by the Union leaders as a result of arming the negroes of the Mississippi Valley is evidenced in the following letter written by President Lincoln to Andrew Johnson, military governor of Tennessee, on March 26, 1863: "I am told you have at last thought of raising a negro military force. In my opinion the country now needs no specific thing so much as some man of your ability and position, an eminent citizen of a slave state and a slaveholder himself, to go to this work. The colored population is the great available, and yet unavailed of force for restoring the Union. The bare sight of 50,000 armed and drilled black soldiers upon the banks of the Mississippi would end the rebellion at once." A little later, Gen. Henry W. Halleck, the President's chief of staff and military adviser, wrote General Grant: "It is the policy of the government to withdraw from the enemy as much productive labor as possible. So long as the Rebels retain and employ



BRACELET, WATCH CHARM, AND RING MADE BY A MISSISSIPPI CONFEDERATE OFFICER WHILE A PRISONER AT FORT DELAWARE

FLAG OF THE FIFTEENTH MISSISSIPPI REGIMENT OF INFANTRY, C. S. A.

their slaves in producing grain, etc., they can employ all the whites in the field. Every slave withdrawn from the enemy is equivalent to a white put *hors de combat.* Again it is the policy of the government to use the negroes as far as practicable as a military force for defense of forts, depots, etc. They certainly can be used with advantage as laborers, teamsters, cooks, etc., and it is the opinion of many that they will do as a military force."

It appears that General Thomas found most of the Union officers disposed favorably toward the arming of the negroes. He met with some opposition from General Sherman, whose objection seemed to be directed at the work of northern agents who were recruiting negroes to act as substitutes for those who were avoiding in large numbers the draft in such States as New York, Massachusetts, Ohio, Michigan and Wisconsin.

On the whole, the utilization of the negroes in war activities after the enunciation of the emancipation proclamation had the economic effect desired by the Union leaders; while it did not terrify the Confederacy into surrender, it weakened its powers of resistance in men and substance. The outcome must be evident when it is known that under the systematic application of the northern policy 186,000 negroes were enlisted from the slave States.

The specific effects of drafting the Mississippi negroes into the military camps of both armies are ably described by J. S. McNeily in his *War and Reconstruction in Mississippi,* in the Publications of the Mississippi Historical Society. He says: "The social and industrial disorders brought to the State through the Union military policy were greatest in the river and northern counties. During this period the Confederate authorities were dragnetting the State for recruits and deserters. Conscription, which was sweeping, drew forth the earnest remonstrances of the civil authorities. They protested against the State, which had been so largely abandoned by the Richmond government, being stripped of its male population. The negro male population was heavily drawn upon by both sides; the Confederates for building earthworks, repairing communication lines, etc., while they were being enlisted as soldiers and employed in fortification works, as teamsters and in the multitude of camp uses, by the Union army. Thousands were moved out of the State by their owners to prevent them from going into the Union lines.

"But the most potent of all the causes of demoralization and decay of the war spirit in the river country—more effective than all combined—was the trade in cotton. The blockade of the southern ports had caused a good deal of cotton to accumulate in the interior; a considerable portion of the full crop of 1860-61 and practically all that had been grown in the two years ensuing. This cotton was being sought for at prices that read like fiction. The total crop of 1860-61 was 4,861,000 bales. Of this Mississippi raised over a fourth. The ten counties and parishes in a radius of less than a hundred miles from Vicksburg produced nearly a seventh of the South's total.

"When that territory was opened up to speculators with official permits, with cotton selling around a dollar a pound, the people were wild upon the subject. A cotton famine abroad was an influence counted on heavily to force foreign intervention. The calculation failed. Instead, the smuggling demand sapped the Confederate foundations that rested on devotion to the cause. Under the Southern war policy, tens of thousands of bales had been burned by order of the Confederate authorities, to keep it out of the market. Could they have foreseen the evils of the cotton traffic, all would have been destroyed. It did not help the Confederate cause that the fever of cotton speculation was almost as evil on the Federal as the Confederate side of the line."

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CHAPTER XXI

LAST CONFEDERATE ADMINISTRATION

GEN. CHARLES CLARK ELECTED GOVERNOR—CAPITAL MOVED TO COLUMBUS—INAUGURATION OF GOVERNOR CLARK—MIXED CIVIL AND MILITARY GOVERNMENTS—FEDERAL OCCUPATION IN 1863—ATTEMPTED UNION CONTROL OF COTTON—UNION CAMPS OF FREEDMEN—CAPITAL OF MISSISSIPPI MOVED TO MACON—LAST STRUGGLES OF THE WAR IN MISSISSIPPI — TASK ASSIGNED TO GENERAL FORREST — MISSISSIPPI ACCEPTS RESULTS OF THE WAR—CONFEDERATE CONGRESSMEN.

Gen. Charles Clark was the last of the Mississippi governors to serve under the Southern Confederacy. A brave and badly wounded soldier, he accepted the fortunes of war with manly dignity and, with mental and spiritual anguish, was called upon to announce, as the official spokesman of his State, that the conflict was over and that Mississippi would do what she could to cement the Union under a new dispensation. It was two months after the Confederate Congress had adjourned at Richmond that Governor Clark was arrested by the Federal authorities and his administration brought to a military close. Only five weeks had passed since the assassination of Lincoln when he called the legislature in special session and expressed deep regret at the death of the President. The fiendish act committed by John Wilkes Booth, a half crazed fanatic who thought he was avenging the South, was so foreign to the Southern spirit that Governor Clark indignantly added: "For this act of atrocity, so repugnant to the instincts of our heart, you feel, I am sure, in common with the whole people, the profoundest sentiments of detestation."

GENERAL CHARLES CLARK ELECTED GOVERNOR

In 1863, there were three candidates in the field for governor —Generals Charles Clark, A. M. West and Reuben Davis. Politically, Clark and West had been Whigs, and Gens. Clark and Davis had been close associates. They had all served in the legislature and Reuben Davis was a congressman both in the Federal and Confederate congresses. Clark was a brigadier general in

the Confederate army, while Davis was a major-general of State troops and West a brigadier general in the State organization. It was undoubtedly General Clark's military record that pushed him to the front. General Davis had withdrawn from military service to enter the Confederate Congress, and had come into considerable disfavor by his criticisms of the Confederate war policy. His insecure standing with the Confederate administration at Richmond reacted upon his gubernatorial prospects in Mississippi.

General Clark, on the other hand, had seen active and arduous service on the battle fields of Mississippi and Louisiana, and had to show as eloquent proofs of his valor a severely wounded shoulder received at Shiloh and a shattered hip caused by a minie ball at the battle of Baton Rouge. He had also served in the army of Northern Virginia. He made the canvass for governor on crutches, and, although the vote, under the disorganized conditions of the period and the general transformation of voters into soldiers, was light, he was substantially the only candidate in the running. No returns whatever reached the legislature from Adams, Claiborne, Harrison, Issaquena, Tunica, Warren and Washington counties; and some of the returns were unsealed. Of the sealed votes counted Charles Clark received 11,876, West 3,302, and Reuben Davis 1,469. The total returns were as follows: Clark, 16,428; West, 4,863; Davis, 2,009. The aggregate figures, 23,300, represented the smallest vote cast in an election for governor since 1835; the vote that year was 19,308.

CAPITAL MOVED TO COLUMBUS

As Jackson had been made untenable for governmental purposes by Federal invasion and especially the fall of Vicksburg, the State authorities decided to move their headquarters as far as possible from the active theater of war in Mississippi. The reasons for the transfer to Columbus are thus given in Mrs. Dunbar Rowland's article in the 1917 Register on *Mississippi's Old Capitol:* "While the Federal army moved in and out of the capital city, burning and pillaging private homes, stores, churches and other property at its pleasure, it was impossible for the State officers to perform their official duties; consequently, it was deemed advisable to remove the government to the northern part of the State, which the Federals had abandoned for closer con-

GOV. CHARLES CLARK
From an oil portrait in the Mississippi Hall of Fame

centration around Vicksburg. The City of Columbus was chosen in the autumn of 1863 as the seat of government and during the month of November the legislature assembled in that city, occupying the old court house and Christian church. It was on the portico of the court house that Gov. Charles Clark was inaugurated and old residents of the town still relate many stirring incidents of the day."

INAUGURATION OF GOVERNOR CLARK

Governor Clark was inaugurated on the 16th of November, 1863, in the presence of the legislature. In front of the temporary capitol an inspiring parade passed, formed of Confederate troops representing the cavalry, artillery and infantry of the military service. The men were in command of Col. William S. Barry, of the Thirty-fifth Infantry, who had organized that regiment, commanded it at Corinth and elsewhere in the field, and now led it in peaceful parade to add impressiveness to the inaugural. Soon afterward he was to accompany his regiment to Atlanta.

At the time of Governor Clark's inaugural, military matters excluded all other subjects—how best to raise men and funds for the conduct of the war was the burning question. The Governor declared that "great as has been the draft upon our energies, Mississippi has ample resources, both in men and means. There could be no backward turning—no peace with honor now. Should there be submission, "they will offer you a reconstructed constitution providing for the confiscation of your property, the immediate emancipation of your slaves and the elevation of the black race to a position of equality—aye, of superiority, that will make them masters and rulers." Rather than such submission, with this striking illustration, he advised all the young men to die on the battlefield, and the old men, women and children, to march into the sea like the fabled Pascagoulas and perish beneath its waters.

In speaking of the serious evil of desertion he said: "There are now within our borders no inconsiderable number of men who are absent from the ranks of your defenders without justification or excuse." He exhorted the women to treat them as unworthy of their smiles.

MIXED CIVIL AND MILITARY GOVERNMENTS

During much of Governor Clark's administration there was an interlacing of civil and military authority in many sections of the State. *The Mississippi Encyclopedia*, treating of the subject from original records, states: "There was at the outset general confiscation of northern property in the South, particularly in trade accounts and there was confiscation of landed property of the active Confederates by the United States government when its armies gained control. At Natchez the bishop was temporarily banished for refusing to pray for the President of the United States. On the other hand the Confederate district judge was instructed by President Davis to hold court and assist the military authority. While war was going on, there was the usual procedure on both sides for self-protection."

Some counties of the State suffered more disorganization than others; some were compelled to abandon all local government, while a few not in the pathway of war moved along without violent local experiences.

FEDERAL OCCUPATION IN 1863

At the commencement of Clark's administration, the Federal forces were in possession of most of the river country north of Vicksburg and inland for two tiers of counties. They also controlled the extreme northeastern sections of the State. According to the *Senate Journal* of 1863 the Federal occupation included the counties of Issaquena, Washington, Bolivar, Coahoma and Sunflower and portions of Warren, Yazoo, Adams, Carroll, Tallahatchie, Itawamba, Lafayette, Panola, Tippah, Tishomingo, De Soto, Tunica, Marshall, Madison and Pontotoc.

Already the negroes constituted a problem for both the Union and Confederate authorities. All through the Delta country the slaves had been impressed into the Federal forces, thereby not only adding to the fighting strength of the enemy but weakening the productive capacity and economic stability of the State. In the northwestern part of the State was a large negro element which Governor Clark thought might be utilized by the Confederate troops. He telegraphed to President Davis for advice and was informed that the orders were to remove negro men from localities where they might be conscripted by the enemy. Evi-

dently the Confederate authorities did not approve of arming the slaves, even if their finances would warrant it. In this connection one of Mississippi's problems was to keep the freed negroes in subjection, for, as Governor Pettus said at his retirement in November, 1863, "already marauding bands of these freed negroes are desolating neighborhoods in the valley of the Mississippi."

It is believed that the conscription act, and the exemption from its dragnet of managers of plantations with twenty negroes, went far at this time to disorganize service in the war. Both undoubtedly proved unwise and did more harm than good.

The effect of these measures more in detail is described by James Phelan, then nearing the close of his term as senator in the congress of the Confederate States. Writing to President Davis of the influences which were impeding the war, he says: "There are many plausible reasons which I need not detail for the desire to get away from the military service. The vigorous enforcement of the conscription act would tend to allay the spirit of discontent. Reorganize the whole system and let popular attention be started and attracted by the prominent, rich and influential men being swept into the ranks.

"Never did a law meet with more universal odium than the exemption of slave owners. Its gross injustice is denounced even by those whose position enables them to take advantage of its privileges. Its influence upon the poor is most calamitous, and has awakened a spirit and elicited a discussion of which we may safely predict unfortunate results. I believe such a provision to be unnecessary, inexpedient and unjust. It has aroused a spirit of rebellion in some places and bodies of men have banded together to resist it."

Commenting on the foregoing, McNeily says: "The intent of the law exempting from military service *one white man on every plantation* of twenty or more negroes was that the negro should be kept under proper control, his labor be intelligently supervised for support of the home population and the army. This seemed sound policy. But it proved quite otherwise. When volunteering slackened and conscription was resorted to, the discrimination was looked upon as stated by Senator Phelan, and used by the demagogues of discontent to stir up opposition to the conduct and continuation of the war. The purchase of substi-

tutes for the managers of the plantations, while it did not prevail to any great extent—the substitutes being secured from the few able bodied men over conscript age who had not volunteered—was used in the same way."

ATTEMPTED UNION CONTROL OF COTTON

With the fall of Vicksburg and the occupation by the Union forces of the cotton country of the Mississippi Valley, the Federal War Department proceeded to operate the plantations and exploit the cotton trade. The Republican policy of leasing abandoned plantations was formulated by Secretary of War Stanton and published, in the fall of 1863, through a circular issued by his special representative, General Thomas. As stated in that document, the primary objects of the regulations for the guidance of the plantation commissioners was "to line the Mississippi River with a loyal population and to give aid in securing the uninterrupted navigation of the river; at the same time, to give employment to the freed negroes, whereby they may earn wages and become self-supporting." The commissioners were authorized to take possession of plantations and crops owned by disloyal persons and lease them to loyal citizens; to allow owners of plantations whose loyalty was unquestioned to occupy and manage their own properties, or lease them to other loyal citizens, and to allow those of doubted loyalty to cultivate their plantations by taking as partners those of undoubted loyalty.

Agents of the United States treasury department were soon sent into Mississippi in charge of W. P. Mellen, who attempted to take matters entirely into his own hands. He not only assumed to issue trade permits, but assume charge of the negro laborers. President Lincoln restored General Thomas to his former position by officially directing him to "go at once to the Mississippi River and take hold of, and be master of the contraband and leasing business." General Grant was strongly opposed to the management and speculations of the special treasury agents and did not hesitate to express himself to Secretary Stanton to that effect. In the spring of 1864 General Thomas issued from Vicksburg a long and intricate code of instructions governing the labor and conduct of the abandoned plantations, but the treasury department controlled the cotton trade.

By act of the Federal Congress, passed in July, 1864, the trade in cotton was limited to persons actively residing and producing the article within the Union military lines. Beyond this limitation only the government could become the purchaser. This act was passed because of the cotton trade corruption of the army and to cut off the revenue derived from trade across the lines by Confederates. Very elaborate regulations were promulgated from the treasury department for executing this law.

Trade permits were only issued by special treasury agents, and neither principals nor clerks were allowed to engage in merchandizing who had not taken the oath of allegiance to the United States. Products of leased plantations in the Mississippi district could only be offered for sale in Vicksburg and Natchez. J. S. McNeily describes conditions as follows:

"But in spite of high-priced cotton and all the advantages of protection and favoritism, more fortunes were lost than were made by those who invested money in planting. In addition to the losses of raids, the taxes and protection exactions, the army worm appeared in August, 1864, and seriously damaged the crop.

"A letter in the *Vicksburg Herald* of August 20th reported the destruction as very great. 'Every plantation in the neighborhood,' it read, 'is laid waste and many fields will not make five bales to the hundred acres.' Another account stated that 'the whole crop would be cut short a half.' October 5th the paper stated that 'the season from the moment of planting was as propitious as could be wished up to about the 15th of August, when the army worm made its appearance and in a very short time the fair promises were blasted forever. There is no planter around here who will make a fourth the amount he reasonably expected and some will scarcely make the seed they planted.'

"The following from a later *Herald* after the yield was determined, further describes the situation: 'We did not overstate the productiveness of the soil, the industry of the people or the reasonable expectations. But alas for human foresight! we did not allow for the waste of worms. They devoured as the locusts of Egypt. Five-sixths of the crop was thus destroyed. Some of the negro planters sold their crops before the worms came for large prices.' Much of the disaster was attributed to the late planting, growing out of the collision of the departments over them, the treasury and military, and the conflicts of authority."

UNION CAMPS OF FREEDMEN

The problem of caring for the thousands of negroes who were freed by the proclamation and swarmed into the Union camps along the Mississippi after the fall of Vicksburg was a perplexing and a distressing one for the consideration of General Grant. While the final stages of the siege were being conducted, the abandoned plantations were being leased by the Federal War Department and mostly occupied by northern men—some of them adventurers and army favorites. After Vicksburg surrendered and Grant proclaimed the new status of the negroes (August, 1863), the Union garrisons and camps along the Mississippi received the black freedmen as to new shelters, and it is said that within a few months Grant had at least 50,000 black men, women and children for which he was responsible. Not only was this a heavy financial burden for the Union armies to carry, but debauchery and disease spread among the troops. The Bureau of Refugees, Freedmen and Abandoned Lands, which preceded the Freedmen's Bureau, was formed to solve the problem of the distribution, employment and support of the former plantation slaves. The plantations under Union control became cesspools of iniquity. The negroes, soon wearied of their new masters, furnished a striking verification of the truth of the old axiom that "familiarity breeds contempt."

Union troops were placed to guard the plantations from the attacks of irate Confederate companies, who despite the heavy military penalties imposed for such attacks, continued to harry the usurpers. The negroes grew more outspoken in their demands and in an effort to adjust matters to suit them the Federal authorities established a number of freedmen's camps and employment agencies under special protection. They even went further and reserved several "home farms" to furnish land for freedmen which they were themselves to cultivate.

The most noted of these farms was at Palmyra bend, in the Mississippi River, southwestern part of Warren County, about twenty-five miles below Vicksburg. The situation is virtually an island, formed by a continued bend in the river along a frontage of about four miles. Here were the abandoned plantations of Joseph and Jefferson Davis, and the peninsula was quite generally known as the "Davis Bend." The official origin of this

CAPITOLS IN 1863-64

1 Courthouse, Columbus 2 Calhoun Institute, Macon
3 Church, Columbus

home farm was the following order issued by the Federal War Department, on March 28, 1865: "All the property in the Palmyra Bend except the Turner and Quitman plantations is hereby reserved for military purposes, on which will be reserved a Home Farm to furnish land for freedmen for their own cultivation. The general superintendent of freedmen will have active control under the proper military authority." It is signed by order of the Secretary of War, "L. Thomas, adjutant general."

By a subsequent order, the home farm was extended over the whole peninsula and included the islands known as Hurricane, Palmyra and Big Black. The order also recited that within the limits described could easily be supported not less than 25,000 freedmen, and that "Davis Bend is perfectly secured against rebel attack and raids." Thus the Davis plantations became prized objects of confiscation. *The Herald of* September 21, 1864, now in the control of Northern writers, gloated over the fact that the plantations of Jefferson Davis were all covered with negro farmers. But seek as they may to win the respect of the negroes, the latter soon fell into a contemptuous attitude toward the newcomers, and in numberless instances openly condemned them for their injustices to the real owners of the soil, to whom they were deeply attached and from whom they were daily being alienated by the confiscation of the lands.

Not long after the Home Farm was established at Palmyra or Davis Bend, freedmen's colonies were organized at Camp Hawley, north of Vicksburg, at De Soto's landing, Clarke County, southeastern Mississippi, and at the town of Washington, Adams County. Still the lack of coöperation between the negroes and their new employers increased until finally, except in purely political matters, the negro farmers lost faith in the promises made them.

CAPITAL OF MISSISSIPPI MOVED TO MACON

In February, 1864, a Federal expedition commenced to move up the Yazoo River and by spring the whole valley was occupied by the Union forces. The Federal garrison at Yazoo City consisted partly of negro troops. Sherman in the meantime had invaded eastern Mississippi in earnest. As he captured Meridian in February, and soon afterward burned portions of it, Governor

Clark proclaimed, on the 20th of the month, that the legislature should convene at Macon, Noxubee County, on the 24th of March.

The finances of the State were chaotic. The raising of the cotton crop was almost at a standstill; the State's chief source of wealth and the basis of the most stable class of her currency had been taken away by the terrible drain of the war. As General Forrest, the great cavalry leader reported, "Roving bands of deserters, stragglers, horse thieves and robbers, who consume the substance and appropriate the property of the citizens," were constantly making the country more poverty stricken. On account of the absorption of the civil service by the military, even a large part of the revenues of 1862 and 1863 remained uncollected; and the $800,000 of Confederate treasury notes in the coffers of the State had been discredited by congress as no provision had been made for the payment of the interest coupons of the twenty-year bonds which it was proposed to exchange for the notes.

In his message of March, 1864, Governor Clark stated: "The Confederate notes that may be received into the State treasury after April 1st will only be receivable in payments at the discount of 33 1/3 per cent, and the $100 notes at a further discount of 10 per cent a month." The State could not afford to sustain such a loss, and he recommended that Confederate notes be no longer received for taxes or other public dues, except the new issue made after April 1st and the old small notes at their convertible value. The Governor also urged upon the Confederate congress a reduction of one-half of the additional tax of five per cent. This tax he characterized as "ruinous, if it were practicable to collect it."

With a reduction of the State military establishment, Governor Clark believed that "less than $2,000,000 will be sufficient for the payment of the outstanding liabilities of the State on account of military expenses, and to provide for the support of the State forces and civil government." To meet these liabilities, he advised a further issue of treasury notes, fundable in six per cent twenty-year bonds. Eight per cent bonds were already prepared for funding former treasury notes.

By the fall of 1864, the financial and the military outlook of the Confederacy was dark, and a last desperate effort was made to rally its disorganized forces. The five States along the Atlantic seaboard, from Virginia to Florida, inclusive, with Alabama

geographically related, sent representatives to a convention, which met at Augusta, Georgia, on October 17, 1864. Governor Clark was also present at the Conference. While pledging its devotion to the Southern cause, the convention asked the Confederate government to send its department officers, provost guards and conscript officials into the field, that civil officers be compelled to arrest deserters and that negroes be impressed for "the public service as may be required."

In November, 1864, following the many victories of the Union forces there was much unrest in the State and disorder was so prevalent that the legislature authorized the Governor to employ the militia to restore order. As in all wars, there was beginning to be a general breakdown in public discipline, though it must be stated in justice to the South that its social life in the main was unimpaired and woman was regarded with the same reverence which the Southern men had heretofore felt for her. Even to the lawless element of the Northern army there was something in the Southern woman's manner that checked any advance towards familiarity.

LAST STRUGGLES OF THE WAR IN MISSISSIPPI

The military movements in Mississippi, during the last months of the war were unimportant and were chiefly occasioned by the efforts of the Confederate forces to delay Sherman and assist Hood in the campaign centering in Atlanta. After the Confederates were repulsed from Atlanta and Hood's army retreated across the Tennessee into northeastern Mississippi, after its defeat before Nashville followed by the Union general, George H. Thomas, the engagements in the State were even of a more minor character. Interest in the last struggles in Mississippi therefore centers in the movements of the military and the civil authorities to relieve as much as possible the sufferings of those who had so heroically upheld the Southern cause and to punish those who were preying upon the pitiably small substance which remained in the State.

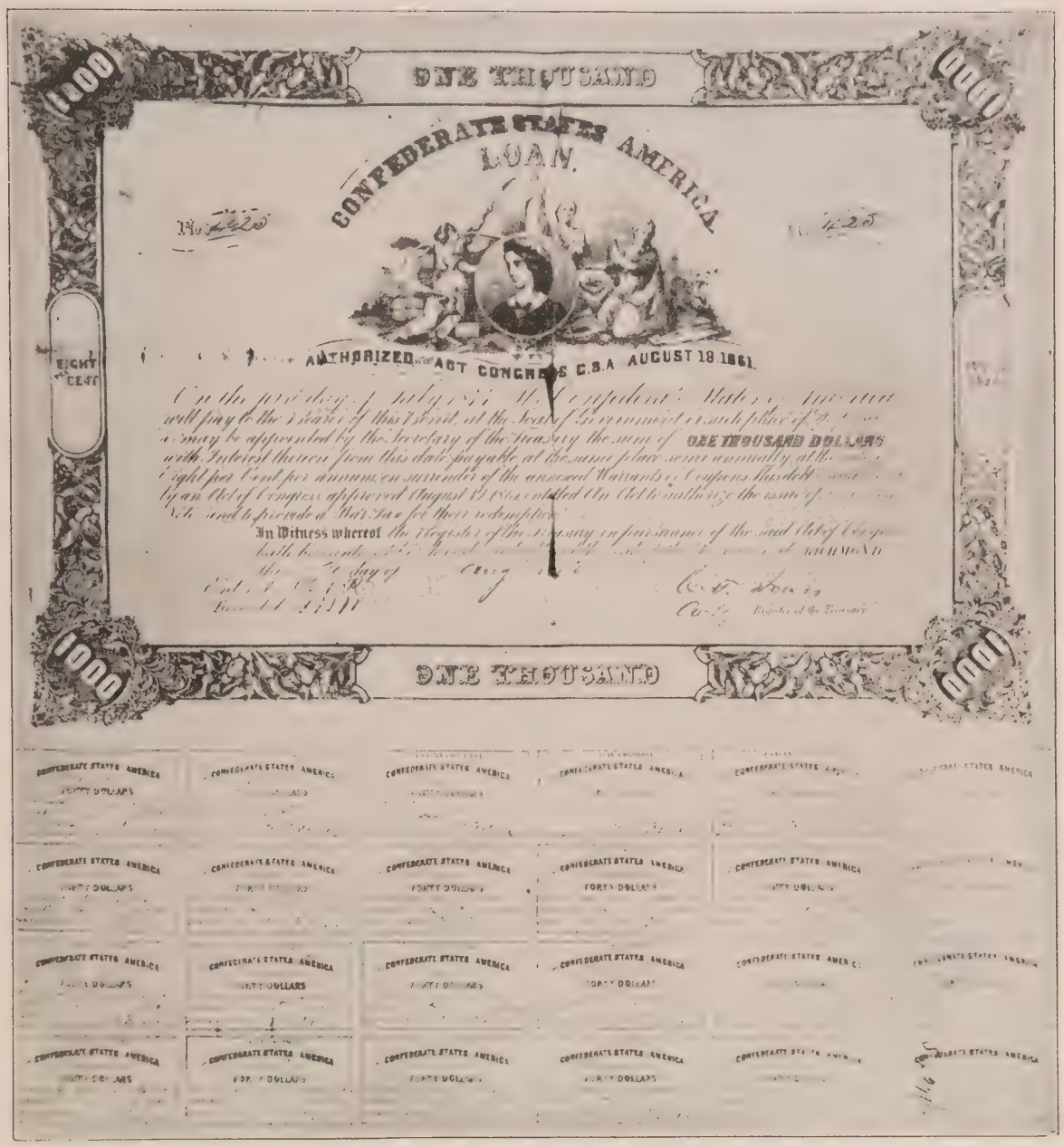
The last legislature of the Confederate era was in session at Columbus in February and March, 1865. As a body it requested Governor Clark, in concord with President Davis, to appoint Friday, March 10th, as a day of fasting and humiliation, with thanks-

giving and prayer, that "He will prosper our arms, bless our cause and give peace and independence to our bleeding country." At the same time the Confederate government was called upon to pay the troops, as these had gone without pay for a great length of time.

The primary reason for assembling the legislature, as announced by the Governor, was that "the destitution of the people calls for immediate relief," and one of the first measures passed an extension and amplification of the act "to provide for the families of soldiers." Says J. S. McNeily in his *War and Reconstruction in Mississippi:*

"A fixed feature of both Confederate and State governments growing out of a depreciated currency was the gathering of tithes of food products. This tax in kind was two per cent, which, with certain specified exemptions, was levied on the gross amounts of corn, wheat and bacon produced in the year 1865; on tolls of grain mills; on the gross profits of tanneries, on all woolen and cotton fabrics manufactured and on a number of other subjects. A new fund for the same purpose was created by a levy of a special tax of one hundred and fifty per cent on the regular State tax; not to apply to slaves, stock and plantations. Boards of police were directed to levy a further tax in kind for 'the 1864 deficit in the indigent fund.' There were Confederate State assessors to return the amount of products of each producer, which returns the county district commissioners were to adopt as a basis of the said tax in kind. These commissioners were, for the purpose of equitable distribution of the 'tax in kind,' directed and empowered to prepare rolls of the number of such indigent families, with the number and age of each, and deposit the same with the clerk of the board of police, which board was empowered to classify the dependents, and to verify any rolls that they doubted the correctness of. Families of deserters or soldiers absent without leave were barred from the tax in kind. All necessary details for its proper application and operation were provided in the law which was approved March 9, 1865.

"The commissioners were empowered, by a separate act, to impress the surplus of all who had taken the benefit of the Confederate law exempting owners of twenty negroes from service. They were also empowered to make impressments of teams or boats necessary to the efficient discharge of their duties. Thus



CONFEDERATE STATES BOND, OF AUGUST 20, 1862

was the war brought home to everyone, as an all-controlling and ever-present power in the affairs of life."

TASK ASSIGNED TO GENERAL FORREST

After the Confederate disaster before Nashville and Hood's retreat to northeastern Mississippi, Gen. N. B. Forrest also returned to the State. The latter was placed in command of a department including West Tennessee, Mississippi and East Louisiana, with instructions from the Confederate authorities to restore order and obedience to Confederate law in that district. In reporting of affairs he said: "Portions of the State have been so repeatedly overrun by the foe that scarcely half our planters have been able to till the soil. In the northern tier of counties sufficient food is not found for the home population." In addition to this, desertions from the army had become frequent and large numbers of supernumerary and unnecessary officers were found everywhere. Soon after General Forrest took charge of the situation, Inspector Walter reported that "The country is infested by deserters, robbing friend and foe indiscriminately and the condition of the citizens is pitiable. Dismounted Confederate cavalrymen steal his horses, while a dastard foe robs him of food and clothing. Grain cannot be grown and food cannot be purchased. Our cavalry, vigilant and successful in arresting the citizen whose wants compel him to send his bale of cotton to Memphis to procure necessary food, fail to molest the professional blockader who makes merchandise of treason."

In the matter of desertion the report records:

"General Forrest, with that energy and ability which always characterizes his actions, has turned his attention to this evil. With the aid of his brother, Col. Jesse Forrest, he has lately arrested and sent to their commands many deserters."

General Forrest himself issued an order when he assumed the task of bringing stability to affairs in Mississippi to the following effect: "The rights and property of citizens must be protected and respected, and the illegal organizations of cavalry prowling through the country under various authorities not recognized as legitimate, or which have been revoked, must be placed regularly and properly in the service, or driven from the country. They are, in many instances, nothing more nor less than roving bands of deserters, absentees, stragglers, horse thieves and rob-

bers, whose acts of lawlessness and crime demand a remedy which I shall not hesitate to apply even to extermination. I sincerely hope I shall have the hearty coöperation of all subordinate commanders and the unqualified support of every brave and faithful soldier."

The legislature "hailed with great satisfaction the avowed purpose declared by General Forrest in his recent published address; pledging him all the aid in their power in consummating so laudable a purpose." The Governor was requested "to use all the means at his command to effect the ends stated and to fully coöperate with General Forrest in such measures as may be necessary to restore all delinquents to our army."

How thoroughly General Forrest endeavored to rid the State of undesirable characters is illustrated by the following orders issued to his brother and assistant, Colonel Jesse Forrest, in March, 1865: "You will move with your command from this point (West Point, Clay County) through Chickasaw, Pontotoc and Lafayette, to Oxford. You will spread out your men as much as possible to gather up deserters, absentees and stragglers. From Oxford you will move in the direction of Panola, scouting well the counties of Marshall, Panola and De Soto.

"Arrest all persons taking cotton through the enemy's lines without proper authority, which can only be given by Major John T. Wallis, approved by the lieutenant general commanding department.

"Having scouted the counties mentioned, move to the Mississippi River near Horn Lake, thence down the river as far as Issaquena, arresting absentees, deserters and stragglers. While on your rounds you will collect all companies, or parts of companies, you may find, unless they be there under orders from department or district headquarters, ordering them to report to you for duty and taking them with you."

It is useless to speculate as to the ultimate result in Mississippi of the Forrest policy of blood and iron, for the events which decided the fate of the Confederacy now centered in the army of the Potomac and Robert E. Lee. The Mississippi troops in the last days were drained from the State to reenforce Johnston's army in its vain efforts to impede Sherman's march northward. The State was virtually unprotected except by Forrest and his cavalry. In April he led his entire force into Alabama to meet

a large cavalry force sent out by Gen. George H. Thomas. Forrest was defeated at Selma, on April 2, 1865, the very day that Lee evacuated Richmond, and fell back to Meridian, the department headquarters. With Forrest crushed, the backbone of opposition to the Union forces was broken in Mississippi and when Johnston surrendered to Sherman on April 26th, Gen. Richard Taylor, in command of the department of Mississippi, prepared to capitulate to Gen. E. R. S. Canby.

MISSISSIPPI ACCEPTS RESULTS OF THE WAR

General Taylor conveyed to Governor Clark his purpose to capitulate to General Canby, and the Governor immediately conferred with a number of gentlemen at the home of Judge William Yerger as to the course to be pursued. His own opinion was that the legislature should be convened, that he should send a message to that body advising an honorable acceptance of the results of the war and that he should send a commission to Washington to assure the President of the State's desire to be restored to the Union. Judges William Yerger, William L. Sharkey and Amos R. Johnston, who had favored accepting the results of the war since the fall of Vicksburg, as well as the other members of the conference, agreed with the views of the Governor.

On the morning after the Jackson conference, Governor Clark returned to Meridian, witnessed the surrender of Taylor's army and the fraternization of the soldiers in gray with those in blue at Meridian, and issued the following proclamation announcing the termination of the war in Mississippi:

"Meridian, Miss., May 6, 1865.

"To the people of Mississippi:

"General Taylor informs me that all the Confederate armies east of the Mississippi River are surrendered, with all government cotton, quartermaster, commissary and other stores. Federal commanders will only send such troops as may be necessary to guard public property. All officers and persons in possession of public stores will be held to a rigid accountability, and all embezzlers certainly arrested. Arrangements will be made to issue rations to the destitute. I have called the legislature to convene at Jackson on Thursday, the 18th inst. They will doubtless order a convention.

"The officers of the State government will immediately return

with the archives to Jackson. County officers will be vigilant in the preservation of order and the protection of property. Sheriffs have power to call out the posse comitatus, and the militia will keep arms and obey orders for that purpose, as in times of peace. The civil laws must be enforced, as they now are, until repealed. If the public property be protected and the peace be preserved, the necessity for Federal troops in your counties will be avoided. You are therefore urged to combine to arrest marauders and plunderers.

"The collection of taxes should be suspended, as the laws will doubtless be changed. Masters are responsible, as heretofore, for the protection and conduct of their slaves, and they should be kept at home as heretofore. Let all citizens fearlessly adhere to the fortunes of the State, aid the returned soldiers to obtain civil employment, maintain law and order, condemn all twelfth-hour vaporers, and meet stern facts with fortitude and common sense.

"Charles Clark, Governor of Mississippi."

General Canby, who was inclined to adopt the policy suggested by Governor Clark, soon received harsher councils from Washington to the effect that he should "not recognize any officers of the Confederate or State government within the limits of his command as authorized to execute in any manner the functions of their late offices" and to "prevent by force, if necessary, any attempt of any of the States in insurrection to assemble for legislative purposes and to imprison any members or other persons who may attempt to exercise these functions in opposition to orders."

Under the circumstances, the called session of the legislature lasted only about an hour on May 20th. Gen. E. D. Osband was in command of the negro troops which were occupying the Jackson district, and notified the members of the legislature of the orders from Washington. Several resolutions, which had been prepared in advance, were adopted. One of them empowered the Governor to send commissioners to Washington to consult with President Johnson as to a plan "for restoring the State of Mississippi to harmonious relations with the Federal government on such a basis as will tend to perpetuate the liberty and prosperity of the American people." Another deplored the assassina-

MISSISSIPPI BOND OF FEBRUARY 20, 1865

tion of President Lincoln and attempt upon Secretary Seward's life, while still another resolution made provision for a constitutional convention to meet on the third of July.

Osband's report to his superior concludes: "Upon adjournment of the legislature, I immediately notified Governor Clark that I could not recognize the civil government of Mississippi and, having placed the offices of the heads of departments under guard, demanded the custody of public books, papers and property, and the executive mansion, appointing Monday, May 22d, for their delivery. At 9 A. M. Governor Clark delivered all public property to me under protest, but without asking to have force employed."

A few days later the Governor was arrested as a prisoner of state by the Federal authorities. Judge T. J. Wharton, Attorney General of Mississippi both before and during the period of the Confederacy, thus describes the arrest in the executive office of the old capitol: "The old soldier, when informed of the purpose of the officers, straightened his mangled limbs as best he could, and with great difficulty mounted his crutches and, with a look of defiance, said: 'General Osband, I denounce before high heaven and the civilized world this unparalleled act of tyranny and usurpation. I am the duly and constitutionally elected Governor of the State of Mississippi, and would resist, if in my power, to the last extremity, the enforcement of your order. I yield obedience only because I have no power to resist.' "

Governor Clark appointed as Mississippi's peace commissioners to Washington, Judges William L. Sharkey, William Yerger and Thomas J. Wharton. As Judge Wharton was unable to go to the national capital, Ephraim S. Fisher, who had served for nearly a decade before the war as a judge of the High Court of Errors and Appeals, was named in his place. The commissioners were accompanied by J. S. Hamilton as secretary. President Johnson treated the delegation with consideration, but referred the members to his proclamation of May 29th regarding the reconstruction of North Carolina. From that paper and conversations with the President, it became evident that the Republican administration expected that Mississippi and the other states lately in rebellion, must amend their constitutions to conform to the facts of the situation, including the abolition of slavery.

Governor Clark was confined for several weeks at Fort Pu-

laski, near Savannah, Georgia; was then released on parole and returned to his home in Bolivar County to resume the practice of law. In October, 1865, he was invited to address the legislature in joint session, but answered by letter that he was still "a prisoner of state and on parole" and felt that such action would be improper. He wished, however, to approve the wise and conservative policy that had been adopted. This, he hoped, would soon restore the State to "equal political rights with her sister states in the Union, and under the flag of the Union. With one of you," he added, "I marched under that flag in a foreign land, and it was victorious; it again waves over us, is our flag and may it ever be victorious."

When home rule again prevailed in Mississippi, Governor Clark served his State as chancellor of the fourth district, and died at his home in Bolivar County December 17, 1877. By virtue of his ability, bravery, honesty and purity of life, Charles Clark honored his place in Mississippi history as the last of its governors under the Confederacy.

CONFEDERATE CONGRESSMEN

The constitutional convention of January, 1861, which passed the ordinance of secession and a State constitution conformatory to that act, also ordained that the delegation of Mississippi in the Congress of the United States should represent the Commonwealth in any congress that might be organized by the seceding states. Those who did serve, however, were elected under the provisions of the constitution of the Confederate States.

The Confederate States congressmen from Mississippi served in the Provisional Congress, which was the outcome of the Southern convention. Its sessions began at Montgomery, Alabama, in February and April, 1861, and at Richmond, in July, September (one day) and November, of that year. The final adjournment of the Provisional Congress of the Confederate States was on February 17, 1862.

During that period the Mississippi delegation consisted of Wiley P. Harris, Walker Brooke, William S. Wilson (resigned April 29, 1861), William S. Barry, James T. Harrison, Alexander M. Clayton (admitted February 8, 1861; resigned, May 11th), J. A. P. Campbell, Jehu A. Orr (admitted April 29, 1861) and

Alexander B. Bradford (admitted December 5, 1861). In the committee organization of the Provisional Congress, the Southern Convention which assembled at Montgomery on February 4, 1861, Judge Alexander M. Clayton, formerly a member of the High Court of Errors and Appeals and later of the Confederate Court for Mississippi, was chairman of the judiciary committee; Brooke, chairman of patents and member of committee on organization of executive department; Barry, of the finance committee; Harris, judiciary and public lands; Harrison, postal affairs and printing; Wilson, patents, and Campbell, territories and accounts.

The first congress of the Confederate States had four sessions at Richmond, beginning February 18, 1862, August 18, 1862, January 12, 1863, and December 7, 1863. This congress finally adjourned on February 17, 1864. The Mississippi delegation comprised Albert G. Brown and James Phelan, senators, and Ethelbert Barksdale, John J. McRae, J. W. Clapp, Israel Welsh, Otho R. Singleton, Reuben Davis, Henry C. Chambers and William D. Holder (Jan. 21, vice Davis, resigned).

Perhaps the most memorable political contest during the period of the regular Confederate Congress occurred on November 12, 1863, when the legislature, then sitting at Columbus, was called upon to ballot for a senator to succeed James Phelan. After prolonged balloting, when all names had been withdrawn except John W. C. Watson, Fulton Anderson and S. J. Gholson, Mr. Watson was elected by a vote of 55 out of 108.

The second Confederate Congress was in session at Richmond from May 2 to June 14, 1864, and from November 7, 1864, to March 18, 1865. During that period—from May 2, 1864, to March 18, 1865—the senators from Mississippi were Albert G. Brown and John W. C. Watson. Senator Watson was a prominent lawyer of Holly Springs, a Whig before secession, but afterwards one of the most influential men of the Confederacy. Two of his sons fell in battle. He himself continued to represent his State in the Confederate Senate until the fall of Richmond.

The representatives in the second Confederate Congress were Jehu A. Orr, Israel Welsh, Henry C. Chambers, Ethelbert Barksdale, John T. Lamkin, William Dunbar Holder and Otho R. Singleton.

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CHAPTER XXII

MISSISSIPPI IN THE WAR FOR SOUTHERN INDEPENDENCE

MISSISSIPPI'S FIRST MILITARY MOVEMENTS—ORGANIZATION AND DISTRIBUTION OF MISSISSIPPI TROOPS—CLOSING IN ON VICKSBURG—THE ARKANSAS AND HER FATE—LAND OPERATIONS IN SPRING AND SUMMER OF 1862—POSITION OF TROOPS IN NORTH MISSISSIPPI—THE BATTLE OF IUKA—BATTLE OF CORINTH—SECOND ATTEMPT ON VICKSBURG PLANNED—THE HOLLY SPRINGS RAID—VICKSBURG AGAIN DEFENDED—CUTTING AROUND VICKSBURG—GRIERSON'S TROOPERS LAY WASTE THE STATE—FEDERALS OCCUPY JACKSON—THE BATTLE OF CHAMPION HILL—FINAL SIEGE OF VICKSBURG—JACKSON AGAIN OCCUPIED BY SHERMAN—LAST OF THE WAR IN MISSISSIPPI—BATTLE FIELDS OF MISSISSIPPI.

As the subject deserves a special rather than a disconnected and cursory treatment throughout a narrative history of civil and governmental affairs, the following three chapters are devoted to the Military history of Mississippi as a part of the Southern Confederacy and have little to do with the political history of the State, which will be resumed with existing conditions of 1865. It is not possible, however, in three chapters to tell the whole story of Mississippi soldiers in the War for Southern Independence. The subject is fully treated in the *Military History of Mississippi* which covers 554 pages of the *Mississippi Official and Statistical Register of 1908.*

It has been frequently stated by research workers that no other Southern State has done quite so much as Mississippi to preserve the record of her Confederate soldiers. The name of every soldier of Mississippi who served in the armies of the Southern Confederacy is recorded in well bound volumes in the Mississippi Department of Archives and History. The record of every command has been written and published, and over ten thousand military manuscripts of the great struggle have been preserved in the archives of the State. It is the aim in these chapters to give the important military movements in which Mississippi troops engaged; in other

words to record the heroism of Mississippians in many of the great battles of the war.

The State of Mississippi furnished 85,000 men to the Confederate armies; they served in the Army of Northern Virginia and in the western army, known first as the Army of the Mississippi and later as the Army of Tennessee.

The achievements of Mississippi soldiers in the Army of Northern Virginia may be read in the story of every hard fought field from Manassas to Appomattox. It was the devotion and courage of the soldiery from the Magnolia State that enabled "Stonewall" Jackson, J. E. B. Stuart, John B. Hood, William Barksdale, Benjamin G. Humphreys, Winfield S. Featherston, John M. Stone and Carnot Posey to achieve military fame. These troops were with Jackson in his great campaign in the valley of the Shenandoah, they led the advance in his rout of the Union army at Chancellorsville and they held the entire force of the enemy at bay at Fredericksburg. At the "Bloody Angle" of the Spottsylvania line, where some of the most terrific fighting of the war was done, they saved the day for Robert E. Lee. They were with Pickett at Gettysburg and with Longstreet at Chickamauga and Knoxville, and heroically went to death at the Crater and Fort Gregg. After the terrible days in the trenches at Petersburg, they marched with Lee to Appomattox and begged to the last to be led against the enemy. They fought and endured as much as any in the armies, and when the war was over returned to their homes not as a demoralized horde but ready and willing to engage in the restoration of the stricken South, a stupendous task in which they were triumphant. The Mississippi soldiers enlisted in the Army of Tennessee were not surpassed in gallantry and devotion by those of any other army in the service of the Confederate States. At Shiloh, Franklin, Chickamauga, Atlanta and Vicksburg they displayed the same patriotism and valor that marked the service of their brothers in the Army of Northern Virginia, and under Johnston, Bragg and Hood sustained the cause of the Confederacy with the like heroism and fortitude that characterized the soldiers of Lee, Jackson and Stuart. The Army of Tennessee developed such illustrious Mississippi commanders as E. C. Walthall, Earl Van Dorn, James R. Chalmers and M. P. Lowrey.

These chapters deal in consecutive order with the military or-

JEFFERSON DAVIS AND HIS GENERALS

ganization and preliminary movements of troops; Mississippi battlefields and campaigns; Mississippi in the Army of the West or Army of Tennessee; and Mississippi in the Army of Northern Virginia. By this method of treatment the reader may have clearly presented all the military activities in which the State engaged from 1861 to 1865 without confusion in the scenes of action or in the details of movements and engagements.

MISSISSIPPI'S FIRST MILITARY EFFORTS

In January, 1861, about three weeks after South Carolina seceded from the Union, the Gulf States of Mississippi, Florida and Alabama severed their connection with the Federal Government. In some cases even before the decisive step of secession was taken, these commonwealths along the Gulf commenced the seizure of Federal property as a necessary measure in the protection of their rights. Mount Vernon arsenal and Fort Morgan, at the head of Mobile Bay, were occupied by the Alabama State troops a week before the ordinance of secession was passed, and six days afterwards, January 10, 1861, Louisiana soldiers took possession of the Baton Rouge arsenal, and the forts on the river within the limits of the State.

At the request of the Governor of Louisiana, the Chief Executive of Mississippi sent Capt. J. Frank Kerr with a detachment of the Quitman Light Artillery to Vicksburg. He also ordered Capt. H. H. Miller to call out the volunteer companies of that city, and, with Captain Kerr, to take such position as would enable him to prevent any hostile expedition from the Northern States descending the river. Kerr arrived at Vicksburg, January 10th, and, with the Vicksburg Southrons, Captain Moore, the Sharpshooters, Captain Miller, and the Warren Guards, Captain Brown, encamped and fortified at Fort Hill. On the next day a steamer from Cincinnati, on its passage down the river, was fired upon. But there was no hostile response, and the State hastened to disavow any intention to obstruct the river to commerce. It was only two days later that the Confederate batteries at Charleston, South Carolina, turned back the Star of the West from going to the relief of Fort Sumter.

Mississippi and Louisiana had by this act of preparedness taken concerted military measures looking to the formation of a Confederacy of Southern States, and another movement was un-

der way cementing the interests of the former State with those of Alabama and Florida. This enterprise was designed to secure possession of the forts and arsenals in the neighborhood of Pensacola; as the key to the defense of the gulf coast east of the Mississippi River it was considered highly important that they should be in the hands of the South even before the Confederacy was created. Mississippi and Alabama therefore determined to send troops to assist Florida in seizing and holding the Pensacola defenses.

On the 8th of January, 1861, Governor Moore of Alabama ordered the Second Alabama regiment to the neighborhood of the Warrington Navy Yard of Fort Barancas, on the shores of Pensacola Bay. About the same time, Governor Pettus, of Mississippi, ordered eight companies of the State militia to assemble at Enterprise, Clarke County, southeastern Mississippi, on the 11th of January. On the 12th, two days after Florida had seceded, a small force of United States artillery and the garrison evacuated Fort Barancas and occupied Fort Pickens, at the western point of Santa Rosa Island, from which the Federal force commanded the approach to Pensacola harbor and city. On the following day the Mississippi troops were started by rail from Enterprise to Mobile, where they were joined by two Alabama companies, to add to the regiment which had already been sent from that State.

The Mississippi companies which participated in the Pensacola expedition were the Chickasaw Guards, Capt. William F. Tucker; Columbus Riflemen, Capt. Charles H. Abert; Lowndes Southrons, Capt. William B. Wade; Prairie Guards, Noxubee and Lowndes counties, Capt. J. W. T. Hairston; Noxubee Rifles, Capt. George T. Weir; Enterprise Guards, Clarke County, Capt. John W. O'Farrell; Lauderdale Rifles, Capt. Con. Rea; Quitman Light Infantry, Clarke County, Capt. J. L. Duck.

On the voyage from Mobile to Pensacola the weather was bad and the sea rough; so that many of the soldiers suffered from seasickness. It was therefore probably somewhat of a relief that the Federal artillerymen, who could be seen standing at their guns, did not attack the steamer as it passed Fort Pickens. The Mississippi troops occupied the marine hospital, a mile east of the navy yard and fronting Fort Pickens, nearly three miles distant. Fort Barancas, half a mile west, was occupied by the Montgomery Blues.

The Mississippi companies were organized into a regiment on January 17th, and Capt. Charles A. Abert, of the Columbus Riflemen, was elected colonel. The men paraded and drilled, watched and waited, for two weeks, and then Brig. Gen. Charles Clark, commanding the State militia, came to Pensacola to look over the situation. After conference, the military and civil authorities of the coöperating states decided that it would be inadvisable for the Southern militiamen to precipitate hostilities by attacking Fort Pickens with raw troops destitute of artillery and supplies. In the case of the Mississippi contingent, also, the limited fund for its maintenance had been exhausted, and on the 1st of February General Clark mustered out the companies from his State. Within the succeeding few days they reached their respective home cities and counties.

A number of the Mississippi captains who went to Pensacola afterward became prominent. Maj. Samuel F. Butler, of the regimental organization, became colonel of the Eleventh Mississippi Infantry. Kennon McElroy, a member of the Lauderdale Rifles, was killed at Fort Sanders, near Knoxville, Tennessee, as colonel of the Thirteenth. Capt. W. E. Baldwin, first lieutenant of the Columbus Riflemen, was afterward colonel of the Fourteenth Mississippi, still later a brigadier-general, and met with an accidental death toward the close of the war. Capt. George H. Lipscomb went to Pensacola as first lieutenant of the Lowndes Southrons and was killed at Perryville as major of the Twenty-seventh regiment. Capt. William B. Wade, of the Lowndes Southrons, commanded a cavalry regiment, and was killed in Columbus shortly after the war. John W. O'Farrell, captain of the Enterprise Guards, became a brigadier-general of State troops.

The expedition to Pensacola accomplished no direct result of importance, but its indirect bearing on the promotion of the Southern cause was thus clearly described, nearly forty-six years afterward, by Judge Baxter McFarland, for sixteen years chancellor of the first district and at the commencement of the war a member of the Chickasaw Guards "It was the first aggressive movement in which Southern States acted in concert and dispelled all doubt as to their future coöperation. The moral effect greatly exceeded in value and importance all other resulting physical advantages. It is, therefore, perhaps impossible for any to measure its full influence except those who felt and observed it. Until

Sumter it was the most formidable of the operations in which separate states acted together.

"Knowledge of this intended military movement in aid of Florida doubtless hastened the abandonment of several other important forts and arsenals in the State, as well as of others along the coast in other states, and quickened movements to capture all the forts in the borders of the South. Very soon Forts Pickens and Sumter were all that held out."

EARLY ORGANIZATION AND DISTRIBUTION OF MISSISSIPPI TROOPS

In March, 1861, the month after Jefferson Davis was inaugurated president of the Provisional Government of the Confederate States, General Earl Van Dorn, who had succeeded the President of the Confederacy as major-general of the State Army of Mississippi, resigned his commission to become colonel in the regular Confederate Army. Charles Clark, who had been one of the four brigadier generals of the State Military Board, was promoted to the vacant position, and on March 9th the chief executive received the first call from President Davis to furnish Mississippi troops for the impending war. The quota of Mississippi was 1,500 men, designed for Pensacola.

In acknowledging the receipt of this request, on the 16th of March, Governor Pettus wrote the President as follows: "The organization of the Army of Mississippi is not yet complete. Thirty or forty companies have been mustered into service. The material of which our volunteer army is composed, I think, will not enlist in the regular army of the Confederate States." He obtained assurance that the troops were not for the regular, but for the provisional army; would be enlisted for twelve months and could select their own officers.

The first year's activities of the Mississippi authorities were mainly concerned in the enlistment and training of men for the war and their distribution to the battle fronts and campaign fields of Virginia and Kentucky. In the assignment of troops, emphasis was put on the importance of retaining Pensacola. This period of preparation and organization is taken from the *Military History of Mississippi*, which appears in the *Mississippi Official and Statistical Register* for 1908 as published by the State Department of Archives and History.

"Twenty companies (of the Army of Mississippi) were for-

warded late in March, accompanied by Gen. Charles Clark as commander. From these companies were organized the Ninth Regiment, Col. J. R. Chalmers, and the Tenth, Col. S. M. Phillips, the colonels' commissions bearing date of April 11th. On the 14th, General Clark transferred the troops to the command of General Bragg, of the Confederate States Army. These regiments, though the first in the Provisional Army, were numbered as they were, to follow the eight regiments being filled at home for the Army of Mississippi. About the same time Tull's, Kerr's and Lovell's artillery companies entered the Confederate service at Pensacola.

"President Davis made his first general call for troops April 8th, when Mississippi was asked to organize and hold 3,000 men in readiness. The bombardment and capture of Fort Sumter occurred a few days later, followed by the call to arms in the North, and President Davis asked for 5,000 more from Mississippi, increasing the quota to 8,000 for twelve months' service. April 23rd two regiments of the eight were asked for.

"On May 21st, the Governor ordered into camp at Corinth, under General Clark, fifty of the State companies. Out of these were formed the Fourteenth, Fifteenth, Sixteenth, Seventeenth and Eighteenth regiments.

"On June 29th, the Governor was asked to raise two more regiments to serve during the war, and send them to camp at Corinth. Next day a general call was made for 30,000 men to be organized at Corinth into a Reserve Corps, Mississippi's quota to be three regiments in addition to the two just called for, these also for the period of the war.

"The Second regiment of State troops, Col. William C. Falkner, was sent to Virginia early in May, and it retained its original number. Col. William H. Moore's regiment was sent about the same time and it was numbered Eleventh, following the Pensacola regiments. Richard Griffith's and William Barksdale's regiments were organized at Corinth, the middle of May, and numbered Twelfth and Thirteenth. Meanwhile Christopher H. Mott, Daniel R. Russell and Benjamin G. Humphreys were organizing regiments to serve during the war, the others having been for twelve months, and these regiments were numbered Nineteenth, Twentieth and Twenty-first. D. W. C. Bonham's regiment, the Twenty-second, was enlisted for the war. A sec-

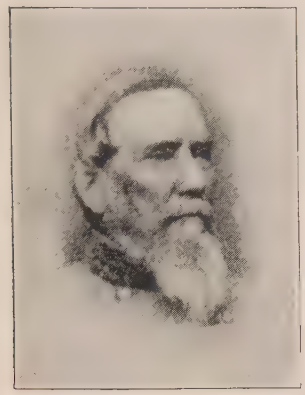
ond regiment, State army, went to Kentucky and was called Third, and later Twenty-third. William F. Dowd's Twenty-fourth, was completed in November; the number Twenty-fifth was given to John D. Martin's Mississippi Valley regiment. Arthur E. Reynold's regiment, which went to Kentucky in December, was the Twenty-sixth. The Twenty-seventh (Thomas M. Jones, colonel) was formed of companies which had gone to Pensacola in 1861.

"Besides these, in 1861, the First, Third, Fourth, Fifth, Sixth, Seventh and Eighth regiments, State army, were completed; the Army of Ten Thousand, or sixty-day troops, under Alcorn and Davis, sent to Kentucky; also infantry, battalions of Taylor in Virginia, and Hardcastle in Kentucky; Martin's cavalry battalion in Virginia; Miller's and Blythe's battalions and Wirt Adams' regiment (First Mississippi Cavalry) in Kentucky; Kilpatrick's battalion and three batteries at Pensacola; four batteries in Kentucky, one in Virginia and others in the State.

"Before this first year's work was completed Wiley P. Harris (ex-judge, congressman and great lawyer) wrote to President Davis from Jackson, September 30, 1861: 'I do not think the requisition for the reserve of 3,000 men will be filled, even without the requisition of General Johnston for 10,000 recently made. There are, from accounts I get here, fifteen companies in camp. The twelve-months' State troops (6,000) have absorbed the young men. The 10,000, if in addition (these State troops are, it is supposed, transferred already) to troops already raised, if you consider Adams', Bonham's and Russell's regiments, together with the fifteen companies in camp and the 6,000 State troops, cannot be obtained. You would be struck with the aspect our State now presents. Except in the principal towns, the country appears to be deserted. There are not more men left than the demands of society and the police of the slave-holding country actually require. The State has put in the field and in camp about 25,000 men. This exceeds her proportion.' "

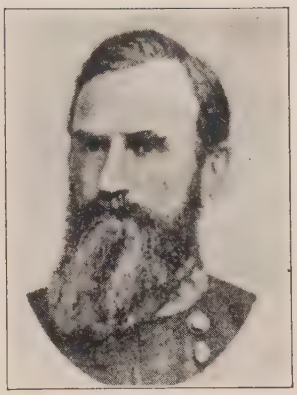
THE SIXTY-DAY TROOPS IN KENTUCKY

On September 28, 1861, Governor Pettus called for 10,000 volunteers to enlist for emergency service under the orders of Gen. Albert Sidney Johnston in Kentucky. They were to rendezvous at Natchez, Vicksburg and Grenada, and bring such guns



BRIG.-GEN. W. L. BRANDON

BRIG.-GEN. DOUGLAS H. COOPER



BRIG.-GEN. B. G. HUMPHREYS

BRIG.-GEN. WILLIAM BARKSDALE

BRIG.-GEN. M. P. LOWREY

BRIG.-GEN. W S FEATHERSTON

BRIG.-GEN. SAMUEL BENTON

BRIG.-GEN. WIRT ADAMS

BRIG.-GEN. J. R. DAVIS

as they could find. No troops were sent under this call, but a remarkable collection of firearms was secured and put in repair at the armories at Jackson and Aberdeen.

On November 20th, the Governor received another urgent appeal from Columbus, Kentucky. He sent General Pillow twenty kegs of powder and some ammunition and asked the legislature to take action. Mississippi had already organized and sent to the field, in the eight regiments of the Army of Mississippi, about 25,000 men. The legislature made an appropriation of $500,000 and authorized the Governor to call for volunteers for sixty days' service, not to exceed 10,000 in number; the men were to furnish their own clothing, blankets and cooking utensils, also their own arms, such as double-barreled shotguns and hunting rifles.

The troops were ordered to rendezvous at Corinth, under Gen. Reuben Davis, and at Grenada, under Gen. J. L. Alcorn, both of the State troops; but before the companies could be filled at their organization camps, the two brigades were ordered to Kentucky.

General Davis, with his two regiments and a battalion of 2,000 infantry, arrived at Bowling Green, December 16th, and was especially assigned to the command of the fortifications in and about the town, his men being stationed as garrison in the various works. One of General Hardee's brigades was also put under Davis' command, when Johnston prepared for the defense of the line along Barren River. The strength of his brigade was reported on December 31st as 145 officers and 1,617 men in the infantry, and 38 officers and 495 men in the cavalry.

General Alcorn collected at Grenada a force of 1,850 infantry and 56 cavalry, mostly armed with double-barreled shotguns, and on the 16th of December sent one regiment to Union City. A few days later nearly his entire command was at Columbus, Kentucky. This consisted of three regiments and two companies of infantry, and enough troops were expected to follow to make a fourth regiment. General Alcorn also had a company of cavalrymen. His 1,700 infantry were armed with shotguns. Under his command, the entire force was assigned to Camp Beauregard, and on December 29th, his brigade prepared to meet an attack on report of a Federal advance to Mayfield toward Columbus and the Mississippi River.

General Polk's force was so much depleted by sending troops to Bowling Green that he ordered Alcorn to Union City, Tennessee, near the Kentucky line. Writing from Columbus, Kentucky, on January 1, 1862, General Alcorn says: "I regret that I am to leave here and go to Union City, and most respectfully beg to have my command disbanded." It was, however, continued in service.

The men of the Davis and Alcorn brigades, during their service in Kentucky, were not engaged in hostilities, but suffered intensely from the severe winter and its attendant sickness. Snow lay on the ground for weeks and the men were unaccustomed and unprepared for such exposure. Most of them contracted measles, of which many died. There were also many deaths from pneumonia. The regiments were disbanded at the expiration of the sixty-day term of enlistment, returning to their organization camps in February, 1862. Many of the sixty-day men at once reenlisted.

CLOSING IN ON VICKSBURG

From the beginning of 1862 until July 4, 1863, or a period of about fifteen months, the campaigns conducted in Mississippi and Louisiana were directed toward the capture of Vicksburg, the only real stronghold which barred the free navigation of the Mississippi. The close coöperation of the strong navies and armies of the Federals was absolutely necessary to the success of their arms in the heart of the South; and in the strength of its navy especially did the North have a tremendous advantage over the South—in fact, the military leaders of the Confederacy perceived that this insurmountable advantage was to be the factor which was to decide the contest against them. Without Farragut, Grant would have failed; but while the Union general was engaging the land forces of the Confederacy, cutting them off from Vicksburg and pressing south along lines parallel with the Mississippi Valley, the Union fleets were sweeping the river north and south with Vicksburg as the object of their assault.

At the time that the battle of Shiloh was fought it was known by the Confederate Government that a great fleet of formidable war vessels, under Admiral Farragut, was headed for the mouth of the Mississippi and that a smaller flotilla of gunboats, rams and other river craft was steaming downstream from Cairo, Illi-

nois. The ocean fleet transported 13,000 troops under Gen. Benjamin F. Butler for the occupation of New Orleans, and, besides the transports, consisted of nine war vessels, carrying 150 guns, and thirty mortar boats.

Farragut's fleet arrived at the mouth of the Mississippi late in April, 1862. Forts Jackson and St. Philip were engaged and readily passed and the small Confederate war vessels coöperating with these inferior defenses were destroyed. General Butler occupied New Orleans on the first of May, and the few Confederate troops in the city under General Lovell retreated northward. After leaving about a dozen mortar boats at New Orleans with Butler's occupying force, the naval expedition, with its full complement of war vessels and transports conveying 3,000 troops, moved northward toward Vicksburg.

On May 12th, when Gen. Martin L. Smith had been assigned to command at Vicksburg, three batteries had been completed for the defense of the city. When it was known that the United States fleet was actually approaching, the work was pushed with all possible speed, and Vicksburg had six batteries in position when the first division of the Federal fleet arrived before it on May 18, 1862. The only Confederate troops then in the garrison were two Louisiana regiments. A demand for the surrender of the town made by Commodore Lee, commanding the advance division of the Union fleet, was refused by General Smith, and three days afterward the Federal officer notified the Confederate authorities to move the women and children and all other noncombatants from Vicksburg before the bombardment should be commenced.

By the 26th of May the remainder of Farragut's fleet had arrived before Vicksburg, the garrison of which had also been reenforced by two Louisiana regiments, five companies of Starke's cavalry, Ridley's battery and four companies of Balfour's battalion, which were stationed at Warrenton, a few miles south of Vicksburg, to resist a rear attack by land. Two more Louisiana regiments arrived later.

From May 26th until the middle of June, the bombardment from the Union fleet was continued at intervals, sometimes quite heavily. From June 14th to the 18th there was a lull, after which the other mortar boats were brought up from New Orleans to join in the bombardment.

On June 28th General Earl Van Dorn, who had been assigned to the command of the river district of Mississippi, arrived at Vicksburg with the advance of Breckinridge's division. Guns were also brought up from Mobile, Columbus and other points and added to the batteries so as to increase their strength to 29 heavy guns. Within a short time other troops were assigned to Van Dorn's command at and around Vicksburg, so that it included Statham's brigade and a portion of Bowen's, two regiments of Balfour's battalion, Wither's regiment of artillery and Starke's regiment of cavalry.

The land forces centered at Vicksburg were so considerable that the Federals dared not attempt an assault by land, so Farragut now bent all his energies to the reduction of the city by naval attack. The bombardment of June 28th, the date of the arrival of the first of Van Dorn's reinforcements, was furious. Thirty-five gunboats and mortars participated in it. Steaming north, they poured broadside after broadside into the batteries, while the mortars dropped their heavy shells into the streets and more distant sections of the city. The batteries stanchly replied, and practically escaped injury. Eight of Farragut's large ocean vessels ran by the batteries with little difficulty, and there were few fatalities either aboard the ships or within the city. This portion of the Union fleet finally anchored north of the city, and about July 1st was joined by the Mississippi River Gunboat fleet of forty vessels, under Admiral Davis. Fort Pillow had fallen, the little Confederate fleet at Memphis had been destroyed and the city itself taken, on June 6th. The combined forces of the river fleet and the ocean fleet represented the largest navy which had assembled in southern waters during hostilities between the North and South. This armada, under Farragut, remained inactive at its anchorage north of Vicksburg until the 15th of July, when the Confederate ironclad *Arkansas* made its spectacular entrance on the scene.

THE ARKANSAS AND HER FATE

When the capture of Memphis was imminent in April, 1862, the Confederates were building an ironclad for service on the Mississippi. In its incomplete state it was taken to Vicksburg and thence up the Yazoo River to Greenwood, three miles below where the river is formed by the confluence of the Yalobusha and

Tallahatchie. In May it was placed in command of Lieut. Isaac N. Brown, an experienced naval officer, and within five weeks from the time the *Arkansas* arrived at the improvised shipyard at Greenwood she was a formidable warship. Her main battery, which was placed amidships and protected by a box of railroad iron, consisted of two 8-inch Columbians, two 9-inch Dahlgren guns, four 6-inch rifles and two smooth-bore 32-pounders, which, in those days, was considered a very strong equipment.

After a consultation with General Van Dorn, Captain Brown determined to take his boat down to Vicksburg and aid in its defense. The running fight of the *Arkansas* straight through the great Union fleet has been thus described in the *Encyclopedia of Mississippi History:*

"Dropping down into Old River at dawn July 15th, the *Arkansas* encountered the ironclad *Carondelet*, wooden gunboat *Tyler*, and ram *Queen of the West*. The *Carondelet* and *Tyler* made a good fight, losing many in killed and wounded, but firing meantime with such effect that three men in the pilot box of the *Arkansas* were successively disabled and the smokestack was so injured that she could make scarcely a knot an hour when she entered the Mississippi River.

"Driving the *Carondelet* into shoal water and the other two boats before her, the *Arkansas* came out into the main channel where the Federal fleet (says Capt. A. T. Mahan) was found quite unprepared to attack. Brown opened with his bow guns on Farragut's flagship at New Orleans, the *Hartford*. Soon all his guns were in action and the smoke settled down so that the gunners could only aim at the flashes of fire which encircled them.

"The *Arkansas* steamed down between the ships of war and the transports, receiving and replying to the fire of all. Most of the shot bounded harmlessly from her sides except two 11-inch shells that went through, killing and wounding many. One of the Federal rams, making a move toward her, was disabled by a shot through her boiler. The battle lasted but a few minutes, and Brown made a landing opposite city hall amid enthusiastic cheers from the bluff, and dropping down to the coal depot began coaling and repairing the damages the boat had sustained.

"Farragut, mortified by the success of Brown in getting through, instantly determined to follow down past the batteries and attempt to destroy her as he ran by. The crippled ironclad

stood gallantly to the fight, giving as good as received, but one 160-pound iron bolt crashed through her engine room, killing Pilot Gilmore and others, injuring the engine, destroying all the medical supplies and starting a serious leak. The heroic steersman, Brady, was knocked overboard. On the 22nd the *Essex* and *Queen of the West* attacked her as she lay under the guns of the batteries. Only forty-one men were aboard, but though half of these were killed and the boat further disabled, the attempt to destroy her failed."

The Federal fleets were withdrawn from before Vicksburg about July 28th, the Union authorities having decided that the city could not be taken by naval assault alone. On August 3rd, the *Arkansas*, commanded by Lieut. H. K. Stevens, started down stream to coöperate with General Breckenridge in the attack on Baton Rouge. In the extra effort to arrive on time one of the engines of the ironclad broke down and the other drove the boat ashore. When the United States ship *Essex* was seen approaching, Stevens sent his men to land and set fire to his boat. With colors flying, the explosion of the magazines ended the career of the *Arkansas*.

LAND OPERATIONS IN SPRING AND SUMMER OF 1862

In the spring and summer of 1862, which covered the period of the first naval investment of Vicksburg, there were various engagements between the Federal army under Grant and the Confederate forces under Beauregard, all tending to determine the control of the Mississippi Valley from Vicksburg to Baton Rouge. After the battle of Shiloh, the Army of the Mississippi was reorganized under the immediate supervision of General Bragg, and the general command of Beauregard. Most of Bragg's army was transferred to Chattanooga and middle Tennessee, where it was evident that great battles were to be fought against the Union armies sweeping into the South. The campaigns in Mississippi and Louisiana for the immediate possession of the lower Mississippi Valley were waged during the spring and summer of 1862 by the armies of General Van Dorn and Gen. Sterling Price—the latter having been drawn from Arkansas and the troops commanded by Grant in western Tennessee and northern Mississippi. As the available Union troops in that area probably outnumbered the Confederate forces two to one, a general move-

ment of the Federals toward Corinth resulted in the evacuation of Corinth by Beauregard on the night of the 29th of May, 1862. The Confederate commander moved his stores and provisions to Tupelo, Lee County, fifty miles south. On the retreat, Federal raiders, among them Colonel Phil. H. Sheridan, did some damage at Booneville, Prentiss County, about half way between that town and Corinth. At this time, the Federals made no advance beyond Corinth and Booneville.

The first ineffectual naval campaign against Vicksburg which terminated with the withdrawal of the Federal fleet to New Orleans and Baton Rouge, July 28, 1862, threw the immediate burden of operations on the land forces of the contending armies. Mention has been made of the 3,000 soldiers which were taken on Farragut's transports with the design of coöperating in a combined assault of land and naval forces. But the Confederate reenforcements for the defense of Vicksburg, under Van Dorn, arrived too rapidly for this small body of Federal infantry to be of any use, and after the futile bombardment of June 28th, which was the most furious assault made against the defenses of the city, the soldiers were chiefly occupied in an attempt to dig a canal across the delta opposite Vicksburg in Louisiana, and thus avoid the batteries of the city. This plan was finally abandoned and the infantry returned to Baton Rouge.

When the Union fleet abandoned Vicksburg, Gen. John C. Breckinridge, who had been ordered to the beleaguered city to participate in its defense, started for Baton Rouge to attempt the capture of the Baton Rouge command. The ironclad *Arkansas* was depended upon to be an important factor in the attack, and her destruction was a serious blow. The attack was made, however, on the day set, August 5, 1862, but failed to accomplish its purpose. Gen. Charles Clark commanded one of the divisions in Breckinridge's corps. It included the Twenty-second Mississippi regiment under Capt. F. Hughes, who was mortally wounded; the Thirty-first, commanded by Major H. E. Topp, and the Fifteenth under Maj. James R. Binford. General Clark's left hip was badly shattered by a minie ball; he was captured by the Federals and carried to New Orleans for treatment. The Twenty-second and Thirty-first regiments under him lost 150 in killed and wounded.

After the failure of this attack on Baton Rouge, General

Breckinridge began the fortification of Port Hudson, just below the mouth of the Red River in Louisiana and a few miles above Baton Rouge. With the conclusion of this military step, and Vicksburg still defiant, the Confederates yet controlled about 250 miles of the lower Mississippi River.

POSITION OF TROOPS IN NORTH MISSISSIPPI

In June, Bragg succeeded Beauregard in command of the great southwestern military department, including the Army of the Mississippi, the immediate command of which, in the following month, was given to General Hardee. General Chalmers commanded all the cavalry in front of that army and several times came in contact with Sheridan's cavalry at Corinth, Booneville and Holly Springs. Before the end of July General Hardee, with the bulk of the original Army of the Mississippi, was moving toward Chattanooga, as was a large part of the Federal force which had occupied Corinth. Van Dorn and Price faced Gen. W. S. Rosecrans, whom Grant had left to defend Corinth. Memphis was the headquarters of Grant's army, which was to move southward in an endeavor to sweep all opposing Confederate forces from Mississippi, especially those which might come to the relief of Vicksburg. In the fall of 1862 the only considerable land forces which could seriously oppose the southward advance of the Federals were those of Van Dorn and Price in northeastern Mississippi.

THE BATTLE OF IUKA

The battles of Iuka and Corinth, fought in September and October, 1862, were engagements on the part of the Federals to weaken, if not crush, the forces of Van Dorn and Price, and by the Confederates to drive Rosecrans and his troops from northeastern Mississippi and thereby impede their southern advance. By the middle of September, Price was occupying an exposed position at Iuka, on the Memphis & Charleston railroad twenty miles southeast of Corinth. The Federal plan was to close in upon Iuka and Price's forces; on September 19th, a Union column under General Rosecrans advanced from the south, and another under General Ord pushed on from the north of the railroad. About noon Price's pickets were driven in by Rosecrans from the South, and Gen. Henry Little, of Missouri, was sent with his

DRESS SWORD OF COL. L. Q. C. LAMAR,
of the Nineteenth Regiment of Mississippi Infantry,
C. S. A.

PISTOL AND HOLSTER WORN BY
COL. ROBERT A. SMITH
when mortally wounded at the battle of Munfordsville

LEE'S HEADQUARTERS
at the junction of Plank Road and Welford's Furnace Road, Chancellorsville, Virginia

division to check the Union advance. The cavalry of Col. Wirt Adams was to be thrown against Ord.

Little sent the brigade of Gen. Louis Hebert to hold the Fulton road, Price's only avenue of escape. Late in the afternoon it was engaged by two Federal brigades, and was reenforced by Col. John D. Martin's Mississippi Brigade. General Little himself led the Thirty-seventh and Thirty-eighth Mississippi regiments, of Martin's Brigade, into the fight, and while doing so was hit in the forehead by a minie ball and instantly killed. Most of the fighting centered about an Ohio battery of six guns stationed near the cross roads and commanding the Fulton road. It was taken and retaken, many soldiers falling in the struggle, but the Confederates finally held it, thus insuring the unimpeded withdrawal of Price. Because of a high wind from the north, carrying away the sounds of the battle from the Federal column posted on that side of the railroad, General Ord was not aware of the engagement and failed to join Rosecrans. General Grant himself awaiting the issue at Brunswick, about half way between Corinth and Iuka, says that he did not hear the guns. Had Ord and Rosecrans joined their forces the result of the battle might have been different. As Price's army marched unmolested from the front of Rosecrans and withdrew along the Fulton road, the cavalry of Adams and others held the enemy in check.

Price's entire command was about 17,000, and the combined Federal force at the battle of Iuka was about the same, although only about 3,000 men were actually in line at the engagement. The total Federal loss was reported at 790; the Confederate at 524. On September 22nd, Price's army went into camp at Baldwyn, seventeen miles north of Tupelo, the Confederate general headquarters, which it was designed to cover.

BATTLE OF CORINTH

At the time that the battle of Iuka was fought Gen. Earl Van Dorn commanded the Confederate Army of West Tennessee and operated in northern Mississippi on lines parallel with Grant's troops scattered along the line of the Memphis & Charleston railroad from Memphis to Iuka. Altogether perhaps Grant could call into the field 50,000 men, and Van Dorn, including the Price command, less than half that number. While Van Dorn was cen-

tered at Ripley, Tippah County, Mississippi, soon after the battle of Iuka, Grant's forces were more scattered, east, west and south of Corinth. General Rosecrans had probably about as many men under his command as Van Dorn, who had decided to attack Corinth before Grant's offensive at Iuka.

First Van Dorn threatened various points on the Memphis & Charleston railroad west of Corinth and as Grant responded by following the Confederate commands, the Union leader came to the conclusion that a general attack was centering on Corinth. At length on the 2nd of October, 1862, Van Dorn crossed the Hatchie, leaving Wirt Adams' cavalry to guard the wagon train, and marched to Chewalla, six miles west of Corinth. Here he drove the cavalry of Rosecrans back to the protection of the infantry, who were intrenched behind formidable breastworks erected by the Confederates after the battle of Shiloh.

At daybreak of October 3rd, the march was resumed along the line of the Memphis & Charleston railroad and as the old Confederate intrenchments were approached, Price's corps, which had fought at Iuka, formed in line of battle between the Memphis & Charleston and Mobile & Ohio railroads, with Lovell's corps on his right. Hebert's division of that corps included the 36th, 37th, 38th and 40th Mississippi regiments, and Maury's division, the 35th. General Armstrong commanded the cavalry of the corps, which comprised Wirt Adams' Regiment, and the Second Regiment of Mississippi Cavalry, under Col. James Gordon, which he had organized as a battalion.

Lovell's corps was smaller than Price's, but had a number of Mississippi regiments—the 6th, 15th, 22d, 33d and 39th. The First Mississippi Cavalry, commanded by Lieut. Col. F. A. Montgomery, was with the brigade under Col. W. H. Jackson.

The first day of the battle favored the Confederates and left them within apparent reach of victory. They began the attack on the outer line of intrenchments at about 10 o'clock, and in spite of the fallen timber that protected the works the whole line was carried by half-past one and several pieces of artillery taken. Price then pushed on to within a mile of Corinth, where, about 3 o'clock P. M., a second line was encountered with artillery posted on the elevations. After a furious and bloody fight of two hours the enemy was driven to the intrenchments lying close around the town. At the same time Lovell's corps fought its way across

Indian Creek, carried the Federal defenses beyond and established contact with Price south of the railroad.

That night the victorious Confederates slept upon their arms within six hundred yards of Corinth. But Col. John D. Martin, who had long commanded a brigade formed largely of Mississippi regiments, had been mortally wounded, and there had been other serious casualties both among the Federal and Confederate forces. On both sides the troops were thoroughly exhausted by marching and fighting through an intensely hot day.

Rosecrans spent all night posting his men and guns to resist the expected attack. A portion of the Federal reenforcements arrived in Corinth just before dawn, worn out by their forced march. Van Dorn had planned to begin the attack early in the morning, but it is said that the officer who was charged with the initial movement overslept and delayed the assault until 10 o'clock. Price, who led the advance in the center, could not use artillery on account of the intimate contact of the opposing forces, and his corps virtually fought the furious engagement which ensued.

The fight especially raged at the Federal center in front of what was known as Battery Robinett. Two assaults were repulsed. Of the third and successful attack, which determined the capture of Corinth, Rosecrans wrote: "The head of the enemy's main column reached within a few feet of Battery Robinett and Colonel (William P.) Rogers, who was leading it, colors in hand, dismounted, planted a flagstaff on the back of the ditch and fell there, shot by one of our drummer boys, who, with a pistol, was helping to defend Robinett. I was told that he was the fifth standard-bearer who had fallen in the last desperate charge. It was about as good fighting on the part of the Confederates as I have ever seen. The columns were plowed through and through by our shot, but steadily closed up and moved solidly until forced back."

This crisis of the engagement is described by Col. James Gordon in Volume IV, *Publications of the Mississippi Historical Society*, as follows:

"General Price made the advance from the centre, before which lay Battery Robinett, frowning with heavy guns and bristling with rifles, its approach being protected by fallen trees with the limbs sharpened, and through this terrible abatis it was neces-

sary for our troops to pass before they could reach the formidable breastworks that seemed impregnable. I have witnessed many a battle scene and read thrilling accounts of others, but cannot conceive of anything that human courage could dare more desperately grand than the splendid charge of the brigade led by the gallant Col. William P. Rogers through the tangled mass of obstructions, with cannon roaring and belching forth great shells that burst as they tore through the Confederate ranks, while grape and canister raked the earth, accompanied by the cracking of thousands of rifles from a foe, protected by earthworks."

After describing the charge and the fall of Colonel Rogers, the writer continues: "Over their fallen chief his men, who loved him, fought on, driving the enemy in full retreat through the streets of Corinth until they reached the hotel and raised the Confederate banner over it with shouts of victory. Price's corps had whipped in the fiercest battle ever fought on Mississippi soil.

"But where were the troops that should have reinforced him from the right? General Lovell's corps, for some unaccountable reason, failed to come to his support. Rosecrans was preparing to retreat, expecting attack from our right, but when it failed he attacked the worn-out Confederates with fresh troops in overwhelming numbers and forced them back over the ground they had won with such intrepid valor."

Van Dorn then ordered the retreat of the remnant of Price's division, Lovell following as rear guard. More than half the line officers of Price's army had been killed and wounded or were missing. Among the Mississippi officers slain, besides Colonel Rogers, who was in command of a Texas regiment, were Colonel Martin, Col. Richard W. Leigh, of the 43d Mississippi, and Maj. Enoch McDonald, of the 40th. The official report of the Confederate losses showed that 505 had been killed, 2,150 wounded and 2,183 missing. Rosecrans reported 355 killed, 1,841 wounded and 324 missing and the capture of 2,268 prisoners, as the result of his close-fought victory.

President Davis, soon after the result of the battle was known, relieved Van Dorn of chief command in Mississippi and appointed in his place Gen. John C. Pemberton, who arrived at Jackson, the capital, on the 14th of October, 1862. The military situation following Corinth is described by Gen. Stephen D. Lee in *The Campaign of Vicksburg* (Vol. IV, Publications of the Mississippi His-

torical Society): "He (Pemberton) found the defeated army of General Van Dorn in the vicinity of Holly Springs and Oxford, numbering about 22,000, exchanged prisoners having about replaced the losses sustained at Corinth, and increased the forces to the number Van Dorn had at Ripley before the battle. In his front was the army of General Grant, numbering about 30,000 men, not including the garrisons of Memphis, Corinth and some other points. This is a fair statement of forces and positions about November 1, 1862."

SECOND ATTEMPT ON VICKSBURG PLANNED

The second attempt to capture Vicksburg was well planned by Grant coöperating with Sherman, but was effectually defeated by the Confederate cavalry under Forrest and Van Dorn and a small but intrepid infantry command under Gen. Stephen D. Lee. Forrest destroyed Grant's communications in west Tennessee; Van Dorn seized and destroyed the great depot of supplies collected at Holly Springs for the Federal advance to the rear of Vicksburg, and Lee defeated Sherman, who was coöperating with Grant and Admiral Porter in a frontal assault. The Federal plan for the capture of Vicksburg was foiled in December, 1862.

The first step in the plan conceived at Washington was for Grant to crush Pemberton, while Sherman was organizing a new army of four divisions at Memphis to move down the Mississippi with Porter's fleet and attack Vicksburg. In December, Grant was endeavoring with his cavalry to destroy the large stores of corn collected along the line of the Mobile & Ohio railroad for the support of Bragg's army in Middle Tennessee. Since the battle of Corinth, the Union commander had repaired that line, which had been badly damaged by Confederate raiders, from Holly Springs to Grand Junction, where it joined the Memphis & Charleston line and maintained his communication with Memphis. At Holly Springs the Federal commander had collected an immense supply of stores for the prosecution of his advance upon Vicksburg.

In the meantime a petition had been sent to General Pemberton by the leading cavalry commanders of the Confederate forces operating in southern Tennessee and northern Mississippi urging him to organize a great raid against Grant's communications and place the enterprise under the direction of General Van Dorn.

The three brigades thus formed as a corps were instructed to cover the front of Pemberton's army and retard the progress of Grant as much as possible. It was seen that the capture of the vast Federal collection of stores at Holly Springs would be one of the most effective ways of accomplishing that object.

THE HOLLY SPRINGS RAID

Van Dorn's cavalry, 2,500 strong, at first deceived the Federals by crossing the main roads leading to Holly Springs, as if headed for Tennessee via Ripley. From the north bank of the Yalobusha River, the Confederate horsemen pushed toward the north, by way of Pontotoc and New Albany, with various commands of Federal cavalry at their heels endeavoring to determine their destination. After thirty hours of hard riding with scarcely a rest the command camped at New Albany for a few hours, then headed for Ripley and thence for Holly Springs. Then, for the first time, Van Dorn acquainted his entire command with his real destination.

As precautions were taken within a few miles of Holly Springs to intercept all messengers who might carry tidings of the Confederate approach, the raid of December 20th, 1862, seems to have been a surprise. The brigades advanced toward Holly Springs along two main roads, and as the horsemen approached the town they increased their speed. According to instructions, the First Mississippi cavalry rode through the Federal camp in a sweeping gallop, many horses and several men in the advance guard being wounded. Near the fair grounds they encountered the Second Illinois Cavalry, who, with their sabres, charged the Confederates, armed with pistols. After the first clash, pistols proved too much for sabres and the Illinois men were driven from the field.

Other steps in the capture of Holly Springs and the seizure of its immense stores, with the destruction of all that could not be immediately utilized, are graphically described in Dr. J. G. Deupree's paper on *The Capture of Holly Springs*, the writer being at the time a youth in the First Mississippi cavalry:

"Meanwhile (during the engagement with the Second Illinois Cavalry), the Texans, the Missourians and the Tennesseeans had entered the town almost simultaneously by different routes.

Colonel Murphy's infantry had surrendered and our victory was complete. Texans and Tennesseeans were holding in check Federal reinforcements coming from the south. The 4,000 men dispatched by Grant to aid Colonel Murphy were pushing on as fast as possible. Holly Springs and the immense stores were entirely in our possession; but we knew only too well that we must do our work quickly and we grimly set about the task before us with the determination to do it effectually. Standing on the tracks near the depot was a long train of box cars loaded with rations and clothing just ready to be sent to the front. The torch was applied and the train consumed. A regiment was detailed to guard the prisoners, while others were engaged in destroying the captured property.

"Holly Springs was at this time the rendezvous of a large floating population, following in the wake of Grant's army. Speculators were here to engage in the contraband cotton trade. Army sutlers were here procuring supplies from stores established by northern merchants. Many officers were here, too, on duty, either in garrison or in the quartermaster or commissary departments; and thinking themselves perfectly safe, they had taken residence with their families and were living on amicable terms with the natives, though the latter made no secret of their sympathy with secession and the Confederacy. All these aliens were captured, swelling the total number of prisoners to more than 2,500; but women and children and personal property were undisturbed.

"All that belonged to Uncle Sam, including the cotton, was regarded as properly due the captors. Hence no scruples were felt in applying the torch to what could not be carried away. The sight of such an abundance of clothing, supplies of all kinds, blankets, provisions, arms, ammunition, medicines, etc., etc., for the use and comfort of a vast army, was overwhelming to thinly clad and hungry Confederates, who had never seen anything like it before. The depot buildings, the roundhouse and every available place were packed full to overflowing. Scores of houses uptown were likewise filled. The courthouse was filled and the public square contained hundreds of bales of cotton. A large brick livery stable was likewise filled with artillery and ammunition.

"After appropriating all we could use or arrange to carry away, the work of destruction was pushed with vigor. From about 7 o'clock A. M. till about 4 o'clock P. M., we were engaged

in burning this immense collection of army stores. Depots of provisions were first plundered and then burned; sutler stores shared a like fate; whiskey flowed in streams, causing more or less disorder, as a few soldiers, blue and gray, imbibed too freely. Cotton speculators were required to share their money with the victors, but were allowed to witness the conflagration of their stolen cotton without personal restraint."

The value of the property thus destroyed has been variously estimated at from $2,000,000 to $4,000,000. The Confederate column of cavalry moved out of the sacked town just before the arrival of Grant's reinforcements of infantry and cavalry.

An interesting personal incident connected with the capture of Holly Springs is related by Dr. Deupree. "Mrs. U. S. Grant was in the city residing in the stately mansion of the late Harvey W. Walter. Of course she was undisturbed and none of her personal property was touched. In consideration of the courtesy shown his wife, General Grant gave this house a safeguard and a guarantee during the remainder of the war against search or trespass or devastation by Federal parties that might afterward have occasion to be in Holly Springs. Several times after the Federals had given up the permanent occupation of Holly Springs and the little city lay between Federals and Confederates, our scouts, closely pursued by hostile cavalry, took refuge in this safe asylum, whose sacred threshold the enemy would not dare to cross. As a consequence of Grant's guarantee, this house was spared while many others were burned and it still stands (1901) as a monument of Grant's appreciation of southern chivalry."

The return trip of Van Dorn's cavalry was substantially by the same route by which they advanced to the attack of Holly Springs. A strong force of Federal cavalry and mounted infantry followed the Confederate command until it was well on its way to Grenada, Van Dorn's headquarters. Thirteen days had been consumed in the round trip and the raid, which resulted in the retreat of Grant to Memphis. On account of the numerous cuttings of railroad communication his withdrawal was accomplished over dirt roads and he did not reach Memphis with his army until about the last of December, 1862.

VICKSBURG AGAIN DEFENDED

In the meantime, General Pemberton had repaired to Vicksburg to superintend its defense. Gen. M. L. Smith was in direct

BATTLE FLAG OF FOURTH MISSISSIPPI
REGIMENT OF INFANTRY, C. S. A.

FLAG OF DUNCAN RIFLES, THIRD BATTALION OF MISSISSIPPI INFANTRY, C. S. A.

command. Sherman organized three divisions of troops at Memphis and was reinforced by a fourth division at Helena, Arkansas. His entire army comprised 32,000 men, for the transportation of whom he made requisition on the quartermaster at St. Louis for seventy large steamers. Further, Admiral William D. Porter coöperated with General Sherman so promptly that by December 18th the entire gunboat fleet of the Mississippi River, of 31 vessels, nineteen of which were ironclads, and carrying about 150 guns, had assembled at Memphis ready for the investment of Vicksburg.

General Sherman left Memphis on the 20th of December with his great expeditionary force, escorted by Admiral Porter's fleet. On Christmas day he arrived at Milliken's bend, twenty miles above Vicksburg and near the mouth of the Yazoo River. Here he detached two brigades to destroy the railroad on the Louisiana side of the river opposite Vicksburg, in order to cut off the reinforcements and supplies for that city from the west. He then proceeded up the Yazoo River, disembarking his army about twelve miles from the mouth of the Yazoo (Johnson's plantation) and about the same distance from Vicksburg. He found himself in a low, swampy country, intersected by lakes and bayous and about three or four miles from the bluffs running from Vicksburg to Snyder's Bluff on the Yazoo (thirteen miles distant). There were four possible routes to Vicksburg and the bluffs, one near the Yazoo at Snyder's Bluff, where were some heavy guns, which obstructed the free navigation of the Yazoo River above that point.

The day before Sherman landed his army above Vicksburg, the Confederate troops at Grenada commenced to move to the relief of the menaced city. At that time the garrison at Vicksburg did not exceed 6,500 men. There were small forces of Confederate cavalrymen in the delta country and of infantry at Snyder's Bluff.

On December 25th, when Sherman arrived at the mouth of the Yazoo River, General Smith ordered Gen. Stephen D. Lee, an experienced officer in both the artillery and cavalry services who had already rendered valuable military aid to the Confederate cause in South Carolina and Virginia, to take command of the line of battle from Vicksburg to Snyder's Bluff. There were no intrenchments along this stretch of thirteen miles, except immediately to the north and south of Vicksburg and at Snyder's Bluff,

but the physical features of the delta at this locality presented advantages which favored the Confederate defense. Timber had been felled as an abatis between the city and Fishing Lake, an old river bed of considerable length but less than one hundred feet wide. Its banks sloped from the borders of a swamp in the direction of the Union approach, but were abrupt and protected by a levee along the shore to be defended by the Confederates. The road along the bluff, about half a mile from the lake, was the natural skirmish line for this section of the defense. Near the southwest end of the lake at an Indian mound was a dry crossing, and another where it joined Chickasaw bayou six miles from Vicksburg. The bayou ran at almost right angles from the bluffs to the Yazoo at the middle of the line of battle and three miles from the river. From Chickasaw bayou to within a mile of Snyder's Bluff was a swamp with a levee along Thompson's Lake, the latter being parallel to the bayou. A corduroy road led from the lake to the bluffs, which easily commanded both the levee and the road. As the swamp beyond Chickasaw bayou to within a short distance of Snyder's Bluff was an almost insurmountable obstacle to the approach of the enemy, it was logical to conclude that the Federal attack would center at the lake, especially at its juncture with Chickasaw bayou.

General Lee immediately moved to dispose of all his available forces to the best advantage. In Vicksburg he left 1,000 artillery troops and a regiment of Louisiana volunteers 600 strong. He took with him six regiments of infantry and two batteries. One regiment and two guns he stationed at the mound four miles from the city, one regiment between that point and the Chickasaw bayou, and four regiments and eight guns at the bayou. At Snyder's Bluff, the extreme right of the Confederate line of battle, were two regiments of infantry and about 1,300 artillerymen. Of the 6,000 or more men under his command, about half were scattered along the line from Vicksburg to Chickasaw bayou, a distance of six and a half miles. While thus posting his commands, General Lee engaged a large force of negroes to fell trees across the dry fords at the mound and Chickasaw bayou. This work was accomplished by December 27th, when the stanch little Confederate army awaited the approach of Sherman's 32,000 men with their sixty guns. On that day also and the next, three bri-

gades arrived at Vicksburg and were posted along the line from the city to the Indian mound, or dry crossing, four miles away.

Sherman's entire army was disembarked by the night of December 27th, and pushed eastward toward the bluffs and Vicksburg in four columns. There was some fighting on the 27th and 28th in front of the Confederate center and along the Chickasaw bayou, but the Union forces failed to advance toward the bluffs, all avenues of approach being commanded by the Confederate artillery and infantry. A general assault of the Confederate line by the Union army was made on the morning of December 29th, the objective point of Sherman's four divisions being the bluffs from the race-course near Vicksburg to Chickasaw bayou.

The Union artillery and sharpshooters opened fiercely on that section of the Confederate line—which was about half of the entire front—but the attempt to advance by way of the dry crossing and carry the bluffs beyond met with a bloody and decisive repulse which determined the fate of the Sherman expedition. Sherman's engineers threw a pontoon over a small lake under the mistaken impression that it was Fishing Lake, but when they attempted to bridge the lake their plan had been discovered by the Confederates, whose artillery and sharpshooters prevented its accomplishment on the morning of the 29th. About noon, the Federals launched an assault at the dry crossing between the lake and the bayou. General Lee tells what happened as follows:

"The assaulting columns (apparently two) in front of the center, one in front of the vacated trenches formerly held by Colonel Hall's 26th Louisiana, and the other from the north side of Chickasaw bayou and considerably to the left, moved directly along the road to the plateau beyond the dry crossing of the lake. The first column was made up of DeCourcy's brigade, Steele's division, and a part of Thayer's brigade. The other column to its left crossed over Chickasaw bayou and was quite near the Confederate line (right) from the time it emerged from the woods. This was Blair's brigade. The two assaulting columns were about 6,000 strong.

"The troops moved forward handsomely, in spite of all obstructions, came over the steep bank of the lake and bayou, and formed on the plateau beyond under a withering fire from eight pieces of artillery and several regiments of infantry. After partially forming, they moved at a double quick toward the Con-

federate position. As soon as they began to get close to the Confederate line, they were literally mowed down by the fire of the infantry in their front and on both flanks. The fire from the front and the two regiments sent to the left in the morning was most destructive. The assault failed, many recrossing the lake at the dry crossing, many lying down to avoid the terrible storm of bullets.

"As soon as it was plain that the assault had failed, two regiments, the 26th Louisiana and part of the 17th Louisiana, were double-quicked on the field and captured 21 commissioned officers and 311 non-commissioned officers and privates, four stands of colors and 500 stands of arms. Two hundred dead were counted on the field. The sharp-shooting was renewed by the enemy as soon as the prisoners captured were removed to the Confederate rear. The Confederate troops, artillery and infantry, behaved with the greatest coolness and courage in the face of the large numbers of the enemy in the assaulting column in sight, across the lake and not engaged. The repulse was a most bloody one and the assault was not renewed."

There were minor engagements until December 31st, along the entire battle front from Vicksburg to Snyder's Bluff, but the action which determined the Union commanders to abandon, at this time, the investment of Vicksburg was the decisive repulse of the 29th. Heavy Confederate reinforcements also commenced to arrive from that date. These included a division of General Bragg's army sent to General Pemberton under command of Gen. C. L. Stevenson, who superseded Gen. M. L. Smith as commander of the defenses of Vicksburg.

On December 31st a truce was arranged between the Federal and Confederate authorities for the burial of the two hundred Union dead, and on the 2nd of January, 1863, at sunrise, the last of Sherman's grand expeditionary force steamed down the Yazoo River to the Mississippi. The Federals had sustained a loss of nearly 2,000 men in their futile attack.

The Confederate loss was 63 killed, 134 wounded and 10 missing. In all there were 15 regiments and four batteries along the line of the Vicksburg defense, probably 8,000 men. In the battle of the 29th the Mississippi troops engaged were the 3rd, 4th and 46th regiments of infantry, Companies A, D, E and G, First Regiment Light Artillery, and Ward's Battalion of Artillery.

CUTTING AROUND VICKSBURG

In the final investment of Vicksburg, which ended with its fall on July 4, 1863, Grant brought to bear a force of more than 100,000 men, and, in coöperation with Rear Admiral David D. Porter, the Mississippi fleet of eighty-one vessels carrying 275 guns. In importance the Union commander placed this great fleet equal to his army, saying: "Without its assistance, the campaign could not have been successfully made with twice the number engaged. It could not have been made at all, in the way that it was, with any number of men without such assistance." While Porter's fleet was Grant's active coöperating naval force, Farragut's fleet of 150 guns was near Vicksburg several times during the last Union campaign against Vicksburg. Almost in touch with Grant's military department was that of General Banks, which included Louisiana, who after the fall of Vicksburg sent to the siege of Port Hudson a Union army of 31,000 men.

January to April Grant spent attempting to send gunboats and transports laden with troops both to the north and south of Vicksburg, without running the batteries of the city. Further efforts were made to divert the Mississippi through the cut-off opposite the city begun in the second attack, but this and all other attempts to find a detour were fruitless.

General Pemberton had at his disposal about 46,000 men fit for duty. The Confederate commander had to maintain garrisons at Port Hudson, Louisiana, and Grand Gulf, Vicksburg and Snyder's Bluff, Mississippi, and a force along the line of the Memphis & Charleston railroad. Pemberton's movable army for service in the field was not more than 20,000 men, much less than half of Grant's opposing army; to say nothing of the mighty fleet of the Union commander. Van Dorn's splendid division of cavalry, which had been mainly instrumental in defeating Grant's campaign of 1862, had been ordered to Bragg's army in Tennessee and Pemberton had not more than 2,500 horsemen along the Memphis & Charleston railroad, with perhaps half that number in the central and southwestern portions of Mississippi.

GRIERSON'S TROOPERS LAY WASTE THE STATE OF MISSISSIPPI

This draining of the State of its cavalry induced Grant to send one of his most daring cavalry commanders into northern,

central and southwestern Mississippi to engage the remnants of this branch of the Confederate service in the State, and divert attention from the plan to land his army below Vicksburg. General Grierson was selected for this hazardous undertaking. He started from Memphis, on the 17th of April, with 1,700 troopers, and for eleven days pushed his men through northern and northeastern Mississippi, by way of New Albany and Pontotoc, and thence south, through the second tier of eastern counties, and west, directly across the State into Jefferson County. It was the intention of Grierson to join Grant's army in the Mississippi Valley, but the plan of the Union commanders was foiled by General Pemberton, who ordered Wirt Adams' cavalry to meet the Federal raid then sweeping across the State. Grierson's expedition was reported at Hazelhurst, Copiah County, when Col. Wirt Adams was ordered to take command of all the Confederate cavalry south of Jackson, then headquarters for Pemberton's army.

On April 28th, Grierson met the most decisive check of his raid at Union Church, Jefferson County, not far northeast of Natchez. The skirmish was fought by three companies of Adams' cavalry, marching from Natchez to meet Colonel Adams, while he was making a forced march of twenty miles from Port Hudson with two companies and two mountain pieces. During the night he brought the five companies together, intending to attack, but the next morning found that Grierson had turned eastward, being reinforced by five other companies, he followed the Federal cavalry as far as Greensburg, St. Helena Parish, Louisiana. Thence the command of Union horsemen moved to Baton Rouge.

Grierson's object had been to take Natchez and connect above with Grant's army, which was defeated by the check he received at Union Church and the reports he received of Adams' strength in his front. The raid, however, had been successful from the standpoint of a discouraging destruction of Confederate property. It is said that in seventeen days, Grierson had marched 800 miles, destroyed 200 cars and several locomotives, as well as depots and bridges, captured 1,000 prisoners, 1,200 horses, and 3,000 stands of arms, and altogether inflicted damage estimated at $4,000,000.

As Grant had tried all kinds of roundabout ways to land his troops below Vicksburg, without success, Admiral Porter determined to again run by its batteries. On the night of April 16th,

he made the first attempt and, without the loss of only one of the transports, anchored south of the city with eight gunboats, two transports and several barges filled with coal and provisions. A week later he steamed past the batteries with five transports, a gunboat and twelve barges, of which one transport and four barges were sunk.

Having now enough boats to cross his army, on April 30, 1863, Grant landed two Union corps—those of McClernand and McPherson—at Bruinsburg, Mississippi, opposite St. Joseph, Louisiana. On the same day, Sherman, with a division of his corps, went up the Yazoo River with a fleet of gunboats and attacked the fortified position at Snyder's Bluff. This lasted several days and was more a demonstration than a serious attack.

Twenty-eight miles south of Vicksburg was Grand Gulf, at the mouth of Big Black River, and on April 29th, after failing to silence the Confederate batteries at that point, Admiral Porter ran past them down the river. On the following day Grant landed his 30,000 men at Bruinsburg and pushed north on the road leading to Port Gibson, twelve miles distant. After the naval bombardment of Grand Gulf, a few miles to the northwest, Gen. John S. Bowen, in command of a division of Missouri and Arkansas troops numbering a little over 5,000 men, set out to meet Grant's advance from the south. The opposing forces met on May 1, 1863, four miles from Port Gibson. Although Bowen held the enemy in check in a severe engagement during the entire day, he retired about sundown, having engaged at least five divisions of the Union army. The loss on each side was about 800 men. Bowen retreated northward with his main force and crossed Bayou Pierre. Grant occupied Grand Gulf, which he established as his base of supplies.

FEDERALS AGAIN OCCUPY JACKSON

The next Union move in cutting around Vicksburg was the advance against Jackson. Grant had a compact army of more than 40,000 men, and Pemberton controlled less than half that number, which he was obliged hurriedly to collect from Yazoo City, Jackson and Port Hudson, and even had to recall his men from the commands which he had sent to General Bragg in Tennessee. At this crisis of the war the Confederate counsels were not united. President Davis urged the holding of Vicksburg at

all costs; Gen. Joseph E. Johnston, in command in the field, did not heartily coöperate with him; his plan was to concentrate forces in the field outside of Vicksburg and try to beat Grant in open battle.

When Grant received Sherman's reinforcements of two divisions at Hankinson's Ferry, Claiborne County, he decided to move against Jackson instead of Vicksburg, cutting off any troops which might be sent to the relief of Pemberton. He moved his three corps forward on parallel roads, so that he could threaten either Vicksburg or Jackson. On the 12th of May McPherson's Corps of Grant's army was resisted by Gregg's Brigade five miles from Raymond. After a stubborn fight lasting three hours the Confederates retired before overwhelming numbers, falling back to Jackson. In this Battle of Raymond the Federal loss was 442 men, the Confederate, 514.

Gen. Joseph E. Johnston arrived in Jackson on the evening of the 13th of May. He learned of the defeat of Gregg; also that several divisions of Federal troops were at Clinton to the west and between Jackson and Pemberton's army, at Edwards Depot, a few miles west of Champion Hill. On the 14th, Sherman's and McPherson's corps arrived before Jackson and General Johnston, with his small army of 6,000 men, gave orders to evacuate the city by way of the Canton road, the troops making only such a show of resistance as would enable them to move out as many supplies as possible.

THE BATTLE OF CHAMPION HILL

Immediately after obtaining possession of Jackson, General Grant gave Sherman orders to begin the destruction of all public property, and concentrated seven of his divisions at Edwards Depot, about midway on the railroad between Jackson and Vicksburg. Through the capture of a dispatch, the Union commander had learned that Pemberton and Johnston planned to unite their armies in that locality. On the night of May 15th, the three columns of Grant's army were moving on three converging roads towards Edwards.

The three divisions of Pemberton's army had moved from Edwards and crossed Baker's Creek toward Raymond in an endeavor to effect a juncture with Johnston's forces. After learning that Johnston had evacuated Jackson and was to the north,

Pemberton commenced a retrograde movement northward but was obliged on May 18th to form in battle line facing east and along the Raymond and Clinton roads. The extreme left of the Confederate battle line, facing east for over a mile, was at the intersection of the Clinton, Middle Raymond and country roads. The skirmishers were thrown out along the Raymond road and at Champion House or Hill, a mile from the intersection of the roads named. Pemberton's forces in line of battle numbered about 15,000 men, and the opposing Union forces were far greater. After heavy fighting the Confederate left was turned and for nearly two hours, in the early afternoon of the 16th, the battle raged for the possession of Champion Hill with various changes of fortune. Perhaps the most brilliant movement on either side was the charge of Cockrell's brigade of Bowen's division, by which the way was prepared for the advance of the Confederate front to beyond the crest of the hill. Two Union divisions were driven back a mile and a half. This movement was accomplished about 2:30 P. M. But the Union troops soon afterward made a stand and planted a battery of sixteen guns on a ridge in an open field from which the guns enfiladed Bowen's entire division. It did not retire, however, until about 4 o'clock, and then only at the approach of two fresh Union divisions along one of the Raymond roads. Although reinforcements also arrived for the Confederate left, the weight of Federal forces was so overwhelming that Pemberton ordered a retreat of his army across Big Black River, and soon afterward all the Confederate troops were withdrawn within the entrenched lines of the city of Vicksburg. The total Confederate loss was 324 killed, 3,269 wounded and captured; the Federal loss was 410 killed, 1,844 wounded, and 187 missing.

FINAL SIEGE OF VICKSBURG

On the afternoon of May 17, 1863, the Confederate divisions of Stevenson and Bowen, which were actively engaged at Champion Hill, arrived at Vicksburg and were assigned to positions for its defense. At noon of the following day the advance of Grant's army was before the city. By noon of May 18th, Pemberton had his army posted on the ridge and spurs surrounding Vicksburg at a distance of about a mile from the city, his fortifications running to the Yazoo River north and the Mississippi River south. He had 18,500 men and 102 guns available for the exterior de-

fense, with 31 heavy guns and 13 field pieces, sufficiently manned, scattered along the river front for two miles.

Four divisions of Pemberton's troops were located from right to left as follows: Stevenson's division of four brigades manned the lines from the Warrentown road on the south of the city, and including a portion of the river front, around to the east and north as far as the river, a distance of about five miles, the brigade of Gen. S. D. Lee being on the left next to the railroad cut and extending so as to include the Square Fort. Gen. J. H. Forney's division of two brigades was immediately to the left of Stevenson, his right resting on the railroad and his line extending northward to the graveyard road, a distance of two miles. Maj. Gen. M. L. Smith, with three brigades, and a regiment and battalion of State troops, extended in a westwardly direction to the river on the north of the city, a mile and a quarter. The division of General Bowen of two brigades, 2,400 men present for duty, and Waul's Texas legion of 500 men, were kept out of the entrenchments as a reserve force.

Vicksburg, having been a base of supplies where the largest Confederate army in Mississippi was kept for a long time before this last investment, was full of sick and wounded men, quartermaster and commissary employees, extra-duty men and hangers on of every kind, who were suddenly shut in by Grant's rapid movements. A large portion of its population was therefore noncombatants.

Pemberton's army had scarcely been assigned position and settled in the trenches, before the head of Grant's army appeared east of Vicksburg and began to skirmish with the Confederate pickets. It may be stated as a singular coincidence that just one year before (May 18, 1862) Admiral Farragut arrived before the city with his mammoth fleet and demanded its surrender.

About midday on the 18th, when the skirmishing had begun, General Pemberton received a dispatch from General Johnston that as he had evacuated Snyder's Bluff, the eastern terminus of the outer defenses of Vicksburg, the city was untenable and that the Confederates should evacuate it and escape to the northeast. However, after holding a council of war with his general officers, and in view of the fact that Grant's army had already commenced the investment of the city from that direction, Pemberton decided that it was too late to withdraw his army from Vicksburg.

He also believed that he would be relieved by General Johnston. From May 18th to 21st, the four army corps of Sherman, McPherson, McClernand and Lauman, numbering about 50,000 men, surrounded the Confederate works and as the troops fell into position their artillery and sharpshooters went into action. The first corps to attack in force was Sherman's, which met with a bloody repulse on the 19th, when he attempted to carry the salient where the graveyard road crossed the Confederate line. The Union column lost nearly 1,000 men in killed and wounded in this futile action.

During the following three days and nights Grant's men continued to push nearer the Confederate defenses. Thirty-one batteries of field guns and thousands of rifles on the land sides, and Admiral Porter's great fleet of gunboats and mortars in front and south of Vicksburg, kept up a deafening roar and encircled the besieged city in sheets of flame. This attack of firearms, great and small, culminated on the morning of the 22nd of May, 1863, when the entire fronts of both Grant's army and Porter's fleet were belching fire, smoke and death. No other bombardment by so great an army and fleet had occurred in the course of the war.

As Gen. Stephen D. Lee wrote in his *Siege of Vicksburg:* "Suddenly about half past 10 o'clock A. M., as if by magic, every gun and rifle stopped firing along General Grant's exterior line. The firing of Admiral Porter's fleet, however, was apparently increased. The silence was almost appalling at the sudden cessation of firing of so many field guns (about 180) and the cracking of so many thousands of sharpshooters' rifles. But the silence was only for a short time. Suddenly there seemed to spring almost from the bowels of the earth, dense masses of Federal troops in numerous columns of attack and, with loud cheers and huzzahs, they rushed forward at a run with bayonets fixed, not firing a shot, headed for every salient or advanced position along the Confederate lines. They (the Federals) had not far to make the rush, as they had been under cover from one hundred to three hundred yards from the lines to be attacked. Their advance over the rough ground which compelled them to open out was a grand and awful sight, and most gallantly did those veterans move forward, feeling the flush of their numerous victories and confident that everything must go down before them.

"As they came within easy range (almost as soon as they started), the Confederate troops, not exceeding 9,938 men, along the three and a half miles of assault, deliberately rose and stood in their trenches, pouring volley after volley into the advancing enemy. At the same time, the troops in reserve (already included) advanced to the rear of the trenches and fired over the heads of those in the trenches. Every field gun and howitzer (thirty-three in number) belched forth continuously and incessantly double shotted discharges of grape and cannister. No troops in the world could stand such fire, and it took but a little time to see that the general assault was repulsed. The troops stubbornly fell back as well as they could under shelter and opened with artillery and infantry again on the Confederate lines. The ground everywhere in front was covered with Union dead and wounded."

The loss of the Federal army in this assault of May 22nd was 3,199 in killed, wounded and missing, and in preceding engagements 1,181, or an aggregate loss, from the 19th to the 22nd, of 4,380 men. Grant had nearly 45,000 men and 31 batteries of 186 guns on the fighting line in the assault of May 22nd, and Pemberton 9,938 men and 33 guns. Porter's fleet doubled the strength of the Union assault.

From May 22 to July 4, 1863, the Union forces conducted the slow operations of siege approaches, the batteries and sharpshooters advancing nearer and nearer the Confederate defenses. By July the Federal entrenchments and batteries were almost in touch with some of the Confederate works, and extended along a front of twelve miles. Eighty-nine batteries had been completed, manned with 220 guns, some of them siege guns, and in addition the navy had landed thirteen guns of the heaviest calibre along General Grant's lines. It is estimated that altogether Admiral Porter brought more than 200 heavy guns to bear upon the defenses of Vicksburg and during the siege of forty-seven days threw 16,000 shells into the city. Before the capitulation, Grant also received reinforcements of six divisions, or more than 25,000 men.

The Union forces had such abundant supplies of men, ammunition and provisions that the troops were always fresh and well nourished and kept the Confederates day and night under incessant fire; the Confederates were obliged to economize to the utmost; their soldiers were on constant duty without adequate rest

and, during the last period of the siege, were on less than half rations, much of this being dry peas, parched corn and mule meat. It was these conditions which finally forced the defenders of Vicksburg to surrender on July 4, 1863. In all the stress of terrific bombardment, mine explosions and siege approaches not a single fort or line of the Confederates had been taken and held by the Union forces.

On the 1st of July, Pemberton addressed a letter to each of his division commanders regarding the necessity of evacuation soon if some relief were not given. They all agreed that their men were too worn and weak to fight their way out of Vicksburg; the only difference of opinion was as to the time of the surrender. On July 3rd Pemberton sent General Bowen to Grant with a note proposing an armistice and arrangement of terms of capitulation. Grant replied that his only terms were unconditional surrender, adding: "Men who have shown so much endurance and courage as those in Vicksburg will always challenge the respect of an adversary, and I can assure you will be treated with all the respect due to prisoners of war." There was a conference in the afternoon between Pemberton and Grant and some of their general officers, and it was finally agreed that at 10 o'clock in the morning of July 4th, the Confederate forces should march out of Vicksburg, stack arms and return to be paroled before the Federals entered the lines. The parole lists indicated 29,491 men in the Vicksburg lines, of which 5,496 were under treatment and more than 3,000 were paroled in hospital.

After being provisioned, the Confederates with burning hearts marched out of the city and their slow and painful progress indicated the extremity which had compelled surrender. They were taken to Demopolis, Alabama, and placed in camp in charge of their own provost marshals. There they remained until exchanged and many of them saw active service again in the Atlanta campaign.

During the operations preceding the siege two brigadier generals had been killed—Edward T. Tracy at Port Gibson, May 1st, and Loyd Tilghman at Baker's Creek, or Champion Hill. The siege accounted for the death of two more brigadier generals of the Confederacy—Isham W. Garrott, on June 17th, and Martin E. Green, June 27th.

The siege of Vicksburg has a place in history with the defense

of Troy, Carthage, Saragossa and Petersburg. To hold this fortress was of vital importance to the Confederacy. Its defenders strove with a valiancy and fortitude unsurpassed by the world's most famous sieges to keep in their possession this last Confederate stronghold on the Mississippi. Their resistance against the overwhelming forces of Grant was marked by a heroism and sacrifice that compelled and retains today the admiration of their foes.

JACKSON AGAIN OCCUPIED BY SHERMAN

General Johnston had commenced to collect another Confederate army to defend Jackson. This army was composed of Loring's Division, the divisions of John C. Breckinridge, S. G. French and W. H. T. Walker, making a force present for duty of about 40,000 officers and men. When news reached him of the surrender of Vicksburg, Johnston's army fell back and reached Jackson on July 7, 1863. Two days later Sherman, with three corps of the Federal army, appeared before the entrenched line surrounding the city and began "digging in" and planting his batteries. While thus engaged, on July 8th, Port Hudson, Louisiana, with its garrison of 7,000 Confederates, was captured by General Banks in coöperation with Farragut's fleet, and there was no longer a Confederate stronghold in the lower Mississippi Valley.

The following is reproduced from the *Encyclopedia of Mississippi History:* "There was spirited skirmishing on the 11th and next day a heavy cannonade and an assault on the line held by Breckinridge, which was repulsed, the Federals losing about 500 men and three battle flags. The bombardment was kept up in the following days, and the investing lines were extended to Pearl River north and south of the city. On the night of the 16th, Johnston evacuated, leaving the heavy guns and withdrawing his army to Meridian. His loss during the siege of Jackson, July 9-16, was 71 killed, 504 wounded and 25 missing. Sherman's loss was 130 killed, 762 wounded and 231 missing.

"Sherman occupied the town and endeavored to make it untenable by Confederate forces by destruction by fire of public and private property. On the 18th he reported to Grant: 'We have made fine progress today in the work of destruction. Jackson will no longer be a point of danger. The land is devastated

for thirty miles around.' But Grant, on the request of Sherman, sent over 200 barrels of flour and 200,000 pounds of pork for the starving inhabitants. After an expedition to Canton, Sherman's army was withdrawn to Vicksburg."

LAST OF THE WAR IN MISSISSIPPI

After the vain attempt of General Bragg to drive the Federals from Chattanooga, Tennessee, in November, 1863, Grant and Sherman transferred their operations into Mississippi and the borderland of Tennessee, with an occasional incursion into Alabama. In December, 1863, General Johnston was relieved of his command in Mississippi by Lieut. Gen. Leonidas Polk, the former being ordered to Dalton to take personal command of the army of the Tennessee. Soon afterward, Gen. N. B. Forrest returned from west Tennessee with several thousand cavalry recruits and a train of supplies and reported to General Polk at Jackson. Other cavalry bodies were organized in the State, and Generals S. D. Lee and Forrest were very busy during this period.

Early in 1864, the Federals devised a number of expeditions in Mississippi and Alabama designed to sweep those states of Confederate troops. Important campaigns were planned against Meridian, Mississippi, and Mobile, Alabama, and Sherman was sent back to Vicksburg to command the army of invasion. Sherman advanced from Vicksburg with 25,000 men and in his march of two weeks across the State to Meridian was opposed continually by Lee's and Adams' cavalry and various brigades of infantry. The Union expedition occupied Meridian February 14, 1864, and Polk fell back to Demopolis, Alabama. Sherman destroyed the railroads to the north and east of Meridian, and of the city itself he reported: "For five days 10,000 men worked hard, and with a will, in that work of destruction, with axes, crowbars, sledges, clawbars and with fire, and I have no hesitation in pronouncing the work well done. Meridian, with its depots, storehouses, arsenals, hospitals, offices, hotels, and cantonments, no longer exists." Sherman started back toward Vicksburg on the 20th of February, crossed the Big Black on the 4th of March and soon afterward arrived in the city.

Toward the last of March, Forrest made a famous campaign in west Tennessee and captured and held for two days the town of Paducah, Kentucky. This was followed on April 12th by his

capture of Fort Pillow, Tennessee, in which he was assisted by a portion of Chalmers' brigade. Early in May, 1864, Polk united his infantry, including the survivors of the Vicksburg campaign, with the forces of Johnston in the Atlanta campaign. Stephen D. Lee was given command of the department of Alabama, Mississippi and East Louisiana and commissioned lieutenant-general. Forrest continued in active command of North Mississippi and South Tennessee, with the duty of defending those sections as sources of supply for the Confederate armies in Georgia and Virginia. His headquarters were at Tupelo, Lee County.

About this time Grant was placed in supreme command of the Union armies and called to Virginia to confront Lee. Sherman was assigned to his old command and confronted Johnston at Dalton, Georgia, with a superior force. To reinforce Johnston, General Lee stripped Mississippi and Alabama of troops, with the exception of Forrest's and Wirt Adams' cavalry and a few new regiments organized in Mississippi. The headquarters of the department commander were at Meridian, again occupied by the Confederates.

The intrepid cavalry of Forrest became so troublesome that Sherman organized an expedition at Memphis and placed it in command of Gen. S. D. Sturgis for the express purpose of destroying the Mobile & Ohio railroad, which the Confederates had rebuilt to Corinth, and of scattering Forrest's force of about 8,000 men. The Federal horsemen numbered about 10,000 but the Confederate commands were so scattered in their campaign of hampering Sherman's progress in Georgia that Forrest could get together but 3,000 of his men, with whom he returned from northern Alabama into Mississippi.

General Lee met the cavalry leader at Baldwyn, northeastern Lee County, and it was determined to fight Sturgis and his overwhelming command near Okolona, northeastern Chickasaw County, and about the same distance south of Tupelo as Baldwyn was north. The result of the battle was a rout for the Federals, who lost all their artillery, 200 wagons, nearly 2,000 prisoners and nearly 2,000 killed in the engagement and the pursuit. The remnants of the Sturgis expedition returned to Memphis. Forrest himself lost about 500 men in killed and wounded.

Another expedition to crush Forrest was organized at Memphis under command of Maj. Gen. A. J. Smith, who had his vet-

eran division, regarded as one of the best in the Federal army and about 9,000 strong. With this division, he had 3,000 cavalry, with artillery and other troops, which brought his command to 15,000 effective men. In coöperation with this expedition was the advance of a large infantry force under Major-General Slocum from Vicksburg to Jackson. Other Federal expeditions were moving toward Montgomery and Mobile, Alabama, the coördinated movements being designed to sweep both Mississippi and Alabama of Confederate troops and make more secure the advance of Sherman's army toward Atlanta and the sea.

General Lee had sufficient troops to meet any one of these expeditions, but not all of them. Consequently he concentrated his available forces to fight the Smith column from Memphis, which was especially threatening Mississippi. Chalmers was recalled from Alabama, and Mabry, with his brigade from the Yazoo River, as Lee had planned with Forrest for the coming attack. The Confederates had about 8,000 effective men.

After several preliminary skirmishes and shiftings of position on the 11th, 12th and 13th of July, 1864, the Federal forces were in line of battle about a mile east of Tupelo, at a crossroads known as Harrisburg, and the Confederates took position on the Pontotoc road, about a mile and a half from Smith. Early on the morning of the 14th, the attack was commenced by General Lee, chief in command, who assaulted the Union flank with Chalmers' and Buford's divisions, while Forrest, with Mabry's Mississippi brigade and his old regiment, assailed the rear. The battle raged until shortly after noon, when the Confederates were compelled to fall back. Their casualties were heavy. Chalmers' division lost 57 killed and 255 wounded. Two of its brigade commanders and a colonel were severely wounded and Captain Middleton was killed. Buford's division lost 1,000, or about one-third its entire strength. All the regimental commanders and nearly all the company commanders of Mabry's Mississippi brigade were killed or wounded. Among the killed were Col. Isham Harrison and Lieut. Col. T. M. Nelson, of the 6th cavalry; Lieut. Col. John B. Cage, of the 14th Confederate, and Maj. R. C. McKay, of the 38th. Forrest reported the entire Confederate loss at the battle of Harrisburg, or Tupelo, at 210 killed and 1,116 wounded; the Federal loss was 78 killed and 558 wounded.

Smith soon retreated for lack of subsistence and was pursued

by Forrest, who attacked at Old Town Creek, Lee County, but was repulsed with considerable loss. Here he and Colonel McCulloch were severely wounded.

Less than two weeks after the battle of Harrisburg, Gen. S. D. Lee was called to Atlanta to take command of one of Hood's army corps, and Lieut. Gen. Richard Taylor took command of the department which included Mississippi. Forrest was still on guard in northern Mississippi, ably supported by Chalmers. In July, 1864, Gen. A. J. Smith again entered the State and, although he was stubbornly resisted by Chalmers, advanced to Oxford, Lafayette County, which was a military post of considerable importance, and burned the public buildings and business portion of the town, with a few residences. A dash into Memphis by a detachment of Forrest's cavalry on August 21st threw such a panic into the Federals as to force Smith to retreat, which was its object. In October, the great Confederate cavalryman entered west Tennessee, which had been drained of Union troops to supply Sherman's army; Atlanta had fallen in July, and the Union army had started toward the sea, after destroying that city in November. The raids into west Tennessee were the last of Forrest's operations on the borders of Mississippi, Tennessee and Alabama. He was called to command the cavalry of Hood's army in the campaign against Nashville and took with him Chalmers and the main part of his cavalrymen.

After Hood's defeat of December 15 and 16, 1864, near Nashville, Forrest returned to Mississippi and was its supreme military figure but he did not command a sufficient force to prevent the passage of Federal cavalry through the northern sections of the State. In an attempt to bar the raid of Gen. James H. Wilson with his 10,000 Union cavalrymen in an expedition through Alabama and Georgia, projected by Gen. George H. Thomas, over 2,500 of Forrest's command were made prisoners, in the battle fought at Selma, on April 2, 1865, the day Gen. Robert E. Lee evacuated Richmond. With a bare remnant of his men, Forrest returned to Meridian, the headquarters of General Taylor, the department commander.

After the news arrived of the surrender of Lee, April 9th, and of Johnston, on April 25th, Mobile having been evacuated on the 12th, General Taylor prepared to surrender to the Union military authorities the troops under him. On May 4, 1865, the for-

malities of the capitulation were concluded between General Taylor and Gen. E. R. S. Canby. Before the result was known, a raid into Port Gibson by some companies of the Ninth Indiana regiment resulted in the killing of one man and the capture of two prisoners. The 4th of May, 1865, was therefore the date of the last engagement of the war on Mississippi soil, as well as the formal conclusion of hostilities.

BATTLEFIELDS OF MISSISSIPPI

Mississippi was a strategic State in the War for Southern Independence, and the number of battles, engagements and skirmishes on its soil were very numerous. Gen. Stephen D. Lee in the Publications of the Mississippi Historical Society, Vol. VIII, pp. 23-32, gives an accurate list of campaigns, battles and skirmishes from 1861 to 1865 mentioned in the *Official Records of the Union and Confederate Armies*, Series I. The list prepared by General Lee shows in the best possible manner how Mississippi was overrun and devastated by the Northern forces. The list which follows gives the location of the engagement, the date on which it occurred and the number of the volume of the *Records of the Union and Confederate Armies* in which it appears.

		Volume
Abbeville, Miss.	August 23, 1864	39
Aberdeen, Miss.	Feb. 18, 1864	32
Anderson's Hill, Miss.	May 1, 1863	24
Vicksburg, Miss.	Jan. 20-July 4, 1863	24
Ashwood, Miss.	June 25, 1864	39
Austin, Miss.	Aug. 2, 1862	17
	May 24, 28, 1863	24
Baker's Creek, Miss.	May 16, 1863	24 Atlas
	July 7, 1863	24
	Feb. 5, 1864	32
Baldwin's Ferry, Miss.	May 13, 1863	24
	Sept. 11, 1863	30
	Nov. 1, 1863	31
	Jan. 14, 1864	32
Baldwyn, Miss.	June 3, 6, 9, 1862	10
	June 14, Oct. 2, 1862	17
Barnett's Corners, Miss.	Sept. 19, 1862	17

Bath Springs, Miss.——Jan. 1, 1863—— 17
Bay Saint Louis, Miss.——Nov. 17, 1863—— 26
Mar. 28-30, 1865—— 48
Bay Springs, Miss.——Aug. 4-7, 19-21, 1862—— 17
Oct. 26, 1863—— 31
Beach Creek Bridge, M. & O. R. R.——Mar. 13, 1862—— 10
Bear Creek, Miss.——June 22, July 17, 1863—— 24
Belmont, Miss.——June 18, 1863—— 24
Benton, Miss.——Sept. 29, 1863—— 30
May 7, 9, 1864—— 39
Big Black River, Miss.——May 3-4, June 18, 29, 30, July 1, 3-4, 1863—— 24
Aug. 10-23, 1863——24, 30
Big Black River Bridge, So. Miss. R. R.——May 17, 1863——24 Atlas
Aug. 12, 1863—— 30
Big Sandy Creek, Miss.——May 5, 8, 9, 1863—— 24
Big Sunflower River, Miss.—May 24-31, 1863—— 24
Biloxi, Miss.——Apr. 3-4, 1862—— 6
Birdsong Ferry, Miss.——June 12, 18, 22, July 5, 1863—— 24
Birmingham Ferry, Miss.—Apr. 24, 1863—— 24
Black Bayou, Miss.——Mar. 14-27, Apr. 2-14, 1863—— 24
Blackland, Miss.——June 3, 1862—— 10
June 7, 1862—— 52
June 28, 1862—— 17
May 5, 1863—— 23
Bogue Chitto Creek, Miss.—Oct. 17, 1863—— 30
Bolivar, Miss.——Aug. 25, 1862——13, 17
Sept. 19, 1862—— 17
July 6, 1864—— 39
Bolton Depot, Miss.——Feb. 4, 1864—— 32
Bolton Station, Miss.——May 15, July 8, 16, 1863—— 24
Booneville, Miss.——May 29, 1862——10, 17
June 11, 1862—— 17
July 1, 1862——16, 17
Mar. —, Apr. 1, 1863—— 24
Brandon, Miss.——July 19, 1863—— 24
Feb. 7, 1864—— 32
Brice's Cross-Roads, Miss.—June 10, 1864——38, 39

Brookhaven, Miss. ---------Apr. 29, June 23-26, July 18, 1863 ---------- 24
Nov. 14-21, 1864---------- 45
Brown's Plantation, Miss.--Aug. 11, 1862---------- 17
Brownsville, Miss. ---------Sept. 28, Oct. 15, 16, 1863---- 30
Oct. 22, 1863---------- 31
Mar. 3, 7-8, 1864---------- 32
Sept. 28, 1864---------- 39
Apr. 19-23, 1865---------- 48
Buck Island, Miss. River--July 13-16, 1864---------- 41
Buck's Ferry, Miss. ---------Sept. 19-22, 1864---------- 39
Burnsville, Miss. ----------May 22-23, 1862---------- 10
Sept. 14, 1862; Jan. 3, 1863--- 17
June 11, 1863---------- 24
Byhalia, Miss. ----------Oct. 12, 1863---------- 30
Feb. 11, 1864---------- 32
Byhalia, Miss. ----------July 2, 1864---------- 39
Camargo Cross-Roads, Miss. ----------July 13, 1864---------- 39
Canton, Miss. ----------July 12, 17, 1863---------- 24
Oct. 14-20, 1863----------30, Atlas
Feb. 24, 26, 29, Mar. 2, 1864- 32
Canton Road, Miss.---------Oct. 15-16, 1863---------- 30
Carrollsville, Miss. ---------June 3, 1862---------- 10
Catfish Point, Miss. ---------Oct. 24, Nov. 10, 1863-------- 30
Chalmer's Raid ----------Oct. 4-17, 1863----------30, 31, 52
Champion's Hill, Miss. ----May 16, 1863----------24, Atlas
Feb. 4, 1864---------- 32
Cherry Creek, Miss. ------July 10, 1864---------- 39
Chickasaw Bayou, Miss.---Dec. 27-28, 1862---------- 17
Chickasaw Bluffs, Miss.----Dec. 29, 1862----------17, 24
Chunky Creek, Miss.-------Feb. 13-14, 1864---------- 32
Clear Creek, Miss.---------June 14, 1862---------- 17
Clinton, Miss. ----------July 8, 9, 16, 1863---------- 24
Oct. 18, 1863---------- 30
Feb. 5, Mar. 26, Apr. 3, 1864-- 32
Clinton and Vernon Cross-Roads, Miss. ----------Oct. 16, 1863---------- 30
Coffeeville, Miss. ----------Dec. 5, 1862---------- 17

Coldwater, Miss. ---------July 23-25, 1862 ---------- 13
Sept. 8-13, Dec. 20, 1862 ----- 17
Aug. 21, 1863 ---------- 30
Dec. 29, 1863 ---------- 31
Coldwater Bridge, Miss. ---June 18, 1863 ---------- 24
Coldwater Ferry, Miss.----Feb. 8, 1864 ---------- 32
Coldwater Railroad Bridge,
Miss. ----------Sept. 12, 1862 ---------- 17
Coldwater River, Miss. ----Nov. 28, 1862 ---------- 17
Feb. 19, Apr. 18-24, May 11,
June 16-20, 1863 --------- 24
Oct. 6, 1863 ---------- 30
July 22, 1864 ---------- 39
Coldwater Station, Miss. ---June 21, 1862 ---------- 17
Commerce, Miss. ---------June 17, 1863 ---------- 24
Concord Church, Miss. ----Dec. 1, 1864 ---------- 45
Corinth, Miss. ----------Apr. 29-June 10, 1862
----------10, 15, 17, 52, Atlas
May 8-29, 1862 ---------- 10
May 28, 1862 ---------- 52
Aug. 28, Oct. 5, 1862 -------- 17
Oct. 3-4, 1862 -----16, 17, 19, Atlas
June 11, 1863 ---------- 24
Aug. 16, 1863 ---------- 30
Nov. 2, 12, Dec. 23, 1863 ----- 31
Jan. 25, 1864 ---------- 32
Jan. 19, 1865 ---------- 45
Corinth Road, Miss. ------Apr. 8, 13, 24, 25, 1862 ------ 10
Courtney's Plantation,
Miss. ----------Apr. 11, 1863 ---------- 24
Craven's Plantation, Miss.-Aug. 14, 1863 ---------- 30
Crystal Springs, Miss.-----May 11, 1863 ---------- 24
Danville, Miss. ----------July 19, 1863 ---------- 24
Nov. 14-15, 1863 ---------- 31
Davies Camp, Miss. --------Nov. 22, 1863 ---------- 31
Davis' Mill, Miss. ---------Dec. 21, 1862 ---------- 17
June 12, 1864 ---------- 39
Deer Creek, Miss. ---------Feb. 23, Mar. 14-27, Apr. 2-14,
June —, 1863 ---------- 24
Sept. 21-26, 1864 ---------- 39

Drumgould's Bluff, Miss.—Apr. 29-May 1, 1863 ——— 24
Early Grove, Miss.———Apr. 5-7, 10-11, 1863 ——— 24
Eastport, Miss. ———Feb. 15-22, 1862 ——— 7
Apr. 1, 1862 ——— 8, 10
Apr. 3, 1862 ——— 10
Oct. 10, 1864 ——— 39
Edward's Depot, Miss.———May 16, 1863 ——— 24
Edward's Ferry, Miss.———Feb. 4, 1864 ——— 32
Edwards' Station, Miss.———May 15, 31, June 6, 10, July 1, 1863 ——— 24
Egypt, Miss. ———Dec. 28, 1864 ———41, 45
Egypt Station, Miss.———Feb. 19, 1864 ——— 32
Eight Mile Post, Miss.———Sept. 6, 1864 ——— 39
Ellis' Bridge, Miss.———Feb. 21, 1864 ——— 32
Ellistown, Miss. ———July 16, 1864 ——— 39
Ellisville, Miss. ———June 25, 1863 ——— 24
Farmington, Miss. ———May 3, 10, 12, 19, 22, 1862——— 10
May 9, 1862 ———10, 52
Farmington Heights, Miss.—May 4, 1862 ——— 10
Farrar's Plantation, Miss.—Sept. 19-22, 1864 ——— 39
Fayette, Miss. ———Nov. 22, Dec. 22, 1863——— 31
Sept. 29—Oct. 3, 1864——— 39
Fish Lake Bridge, Miss.———Feb. 23, 1863 ——— 24
Forked Deer Creek, Miss.—Oct. 3, 1863 ——— 30
Fort Adams, Miss.———Oct. 14-20, 1863 ——— 30
Oct. 5-8, 1864 ——— 39
May 3-6, 1865 ——— 48
Forty Hills, Miss. ———May 3, 1863 ——— 24
Fourteen-Mile Creek, Miss.—May 12, 13, 1863——— 24
Franklin, Miss. ———Jan. 2, 1865 ——— 45
Free Bridge, Miss. ———Dec. 3, 1862 ——— 17
Franklin Creek, Miss. ———Dec. 21-22, 1864 ———41, 45
Friar's Point, Miss. ———Sept. 28, 1862 ——— 17
Dec. 1-5, 1864 ——— 41
Feb. 10, 19, 22, 1865——— 48
Fulton Road, Miss. ———Sept. 20, 1862 ——— 17
Garlandville, Miss. ———Apr. 24, 1863 ——— 24
Glendale, Miss. ———May 8, 1862 ——— 10

Grand Gulf, Miss.—Sept. 7, 1863—30
May 26, June 9, 24, 1862—15
Mar. 19, 31, Apr. 29, 1863—24
Jan. 18, Feb. 15-Mar. 6, 1864—32
July 4-24, 1864—39
Mar. 12-14, 1865—49
Grant's Ferry, Miss.—July 16, 1863—24
Greenville, Miss.—Aug. 23, 1862—13, 17
Feb. 14-26, Apr. 2-14, May 12, 18, June 25, July 1, 1863—24
May 20, 27, 1864—39
Greenwood, Miss.—Mar. 11, 13, 16, Apr. 2, 4, May 27, 1863—24
Grenada, Miss.—Nov. 27—Dec. 6, 1862—13, 17, 22
Aug. 10-23, 1863—24, 30
Grierson's Raid—Apr. 17—May 2, 1863—15, 24
Griffin's Landing, Miss.—Oct. 24—Nov. 10, 1863—31
Guntown, Miss.—June 9, 1862—10
July 10-11, 1862—17
June 10, 1864—39
Hall's Ferry, Miss.—May 13, 1863—24
Hamilton's Plantation, Miss.—June 24, 1862—15
Hankinson's Ferry, Miss.—May 3, 4, July 1, 1863—24
Harbert's Plantation, Miss.—Jan. 11-13, 1865—48
Harrisburg, Miss.—July 14-15, 1864—39, Atlas
Hatchie Bottom, Miss.—July 20, 1862—17
Hatchie River, Miss.—July 5, Sept. 30, 1862—17
Haynes' Bluff, Miss.—Apr. 29—May 1, 18, 23, 1863—24
Helena Road, Miss.—June 21, 1863—24
Hernando, Miss.—June 21, Sept. 8-13, 1862—17
Mar. 15-16, Apr. 18, May 23-24, 26, 27, 28, June 19, 1863—24
Aug. 16-20, Oct. 10-11, 1863—30
Nov. 19, 1863—31
Jan. 3, 1864—32
Oct. 15, 1864—39
Hillsborough, Miss.—Feb. 6, 1864—32
Hill's Plantation, Miss.—June 22, 1863—24

Holly Springs, Miss.—June 15-18, July 1, 25—Aug. 1, Sept. 5-6, Nov. 13, 28-29, Dec. 20, 1862; Jan. 9-10, 1863 — 17
June 16-17, 1863 — 24
Sept. 7, 1863 — 30
Nov. 5, 1863 — 31
Feb. 12, Apr. 17, 1864 — 32
May 24, Aug. 28, 1864 — 39
Homochitto River, Miss.—Oct. 5-8, 1864 — 39
Horn Lake Creek, Miss.—Aug. 16, 1862 — 17
Houlka Swamp, Miss.—Feb. 17, 1864 — 32
Houston, Miss.—Feb. 17, 19, 1864 — 32
Hudsonville, Miss.—Nov. 8, Dec. 1, 1862 — 17
Mar. 2-3, Apr. 10-11, June 21, 1863 — 24
Feb. 25, 1864 — 32
Independence, Miss. —Dec. 7, 1863 — 31
Indian Bayou, Miss.—June 8, 1864 — 39
Ingraham Heights, Miss.—May 3, 1863 — 24
Ingraham's Plantation, Miss. —Oct. 10, 1863 — 30
Ingram's Mills —Oct. 12, 1863 — 30
Issaquena County, Miss.—Mar. 22, 1864 — 32
July 10, Aug. 17, Oct. 24-31, 1864 — 39
Iuka, Miss. —May 22-23, 1862 — 10
Sept. 13, 16, 20, 27, 1862 — 17
Sept. 19, 1862 — 17, Atlas
July 7, 14, 1863 — 24
Jan. 9, 1865 — 45
Feb. 17-18, 1865 — 49
Ivey's Hill (or Farm), Miss.—Feb. 22, 1864 — 32
Jacinto, Miss. —Aug. 13, Sept. 7, 1863 — 30
Jackson, Miss. —May 14, July 10-17, 1863 — 24, 52
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Feb. 5, 1864 — 32
July 7, 1864 — 39
Jackson County, Miss.—Jan. 15-17, 1864 — 34

Jones County, Miss. ——Mar. 14, 1864 —— 32
Jones' Cross-Roads, Miss.—May 3, 1863 —— 24
Jones' Ferry, Miss. ——June 28, July 6, 1863—— 24
Jones' Plantation, Miss. —June 22, 1863 —— 24
Jumpertown, Miss. ——Nov. 5, 1862 —— 17
Kelly's Mill, Miss. ——July 8, 1864 —— 39
King's Creek, Miss. ——May 5, 1863 ——23, 24
Kossuth, Miss. ——Aug. 27, 1862 —— 17
Lamar, Miss. ——Nov. 6, 1862 —— 17
Feb. 13-14, 1863 —— 24
Aug. 14, 1864 —— 39
Langley's Plantation, Miss.—Mar. 22, 1864 —— 32
Lauderdale Springs, Miss.—Feb. 16, 1864 —— 32
Lexington, Miss. ——Jan. 2, 1865 —— 45
Liberty and Natchez Road, Miss. ——Sept. 6, 1864 ——
See Natchez and Liberty Road, Miss.
Liverpool, Miss. ——Mar. 3, 1864 —— 32
Liverpool Heights, Miss.—Feb. 3, 4, 1864 —— 32
Liverpool Landing, Miss.—May 23, 1863 —— 24
Livingston, Miss. ——Oct. 17, 1863 —— 30
Mar. 27, 1864 —— 32
Livingston Road, Miss. —Oct. 18, 1863 —— 30
Lockhart's Mill, Miss. —Apr. 10-11, 1863 —— 24
Oct. 6, 1863 —— 30
Luce's Plantation, Miss.—May 15, 1864 —— 39
Lumpkin's Mill, Miss. —Nov. 29, 1862 —— 17
Macon Ford, Miss. ——June 9, 1863 —— 24
Madisonville, Miss. ——Feb. 27, 1864 —— 32
Magnolia Hills, Miss. —May 1, 1863 —— 24
Marietta, Miss. ——Aug. 19-21, 31, 1862 —— 17
Marion Station, Miss. —Feb. 15-17, 1864 —— 32
Matthews' Ferry, Miss.—June 20, 1863 —— 24
Mechanicsburg, Miss. —May 24—June 8, 1863——24, 52
Apr. 19-23 (?), 1864—— 32
Jan. 3, 1865 —— 45
Meridian, Miss. ——Feb. 13-20, 1864 —— 32
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Messinger's Ferry, Miss.—June 26, 29, 30, July 3, 4, 6, 1863 — 24
Messinger's Ford, Miss.—July 6, 1863 — 24
Midway Hill, Miss. — May 16, 1863 — 24
Mississippi — Jan. 4-20, 1861 — 1
Jan. 20-Aug. 10, 1863 — 23, 24, 52
Aug. 11-Oct. 19, 1863 — 30, 52
Oct. 20-Dec. 31, 1863 — 31
Jan. 1-Apr. 30, 1864 — 32
May 1-Nov. 13, 1864 — 39, 52
Nov. 14, 1860-Jan. 23, 1865 — 45
Jan. 1-June 30, 1865 — 49
Mississippi, Northern — Mar. 4-June 10, 1862 — 10, 52
June 10, 1862-Jan. 20, 1863 — 17
Mississippi, Southern — Sept. 1, 1861-May 12, 1862 — 6
May 12, 1862-May 14, 1863 — 15, 52
May 14-Dec. 31, 1863 — 26
Mississippi Central Railroad — Apr. 29-June 10, 1862 — 10
Aug. 30-Sept. 1, 1862 — 17
Oct. 31, 1862-Jan. 10, 1863 — 17, 20
Aug. 10-22, 1863 — 30
Mississippi, River — Oct. 12, 1861 — 6
Oct. 18, 1861 — 3
Apr. 18, 1862-Mar. 27, 1863 (Naval) — 15
Aug. 16-27, 1862 — 13
May 17, July 7-10, 1863 — 26
June 17-18, 1863 — 52
Oct. 22, 1863 — 31
May 24-June 4, 1864 — 34
July 13-16, Aug. 29, 1864 — 41
July 22-Aug. 22, 1864 — 41, 53
Apr. 27, 1865 — 48
Mississippi Springs, Miss.—May 13, 1863 — 24
Mitchell's Cross-Roads, Miss. — Dec. 1, 1862 — 17
Mobile and Ohio Railroad—Apr. 29, May 14, 1862 — 10
Dec. 13-19, 1862 — 17
Dec. 21, 1864-Jan. 5, 1865 — 41
Nov. 27-Dec. 13, 21, 1864-Jan. 5, 1865 — 45

Moore's Bluff, Miss.	Sept. 29, 1864	39
Moore's Ford, Miss.	Sept. 29, 1863	30
Morton, Miss.	Feb. 7, 8, 10, 1864	32
Mount Pleasant, Miss.	Feb. 13-14, Apr. 5-7, 10-11, Aug. 5, 1863	24
	Aug. 27, 1863	30
	Dec. 28, 1863	31
	Jan. 25, 1864	32
	May 22, 1864	39
Mud Creek, Miss.	June 20, 1863	24
Muddy Bayou, Miss.	Mar. 14-27, 1863	24
Natchez, Miss.	May 12-13, 1862	15
	July 13, 26-31, 1863	24
	Nov. 11, Dec. 1-10, 1863	31
	Jan. 24, Apr. 25, 1864	32
Natchez and Liberty Road, Miss.	Sept. 6, 1864	39
New Albany, Miss.	Apr. 18-19, June 12-14, 19, 1863	24
	Oct. 5, 1863	30
	Feb. 23, 1864	32
New Orleans and Jackson Railroad	May 11, 1863	24
Newton Station, Miss.	Apr. 24, 1863	24
Northern, Miss.	Apr. 29-May 4, 1863	24
	Dec. 18-31, 1863	31
	Mar. 3-11, 1865	49
North Fork, Bayou Pierre, Miss.	May 3, 1863	24
Oakland, Miss.	Dec. 3, 1862	17
Oak Bridge, Miss.	Jan. 16, 1864	32
Okolona, Miss.	Dec. 9, 1863	31
	Feb. 18, 21, 22, 1864	32
	June 23, 1864	39
	Dec. 27, 1864	45
Old Lamar, Miss.	Nov. 6, 8, 1862	17
Old Town Creek, Miss.	July 15, 1864	39
Olive Branch, Miss.	Sept. 6, 1862	17
Osborn's Creek, Miss.	June 4, 1862	10

Oxford, Miss.	Dec. 1-4, 1862	17
	Aug. 1-30, 1864	39
Panola, Miss.	May 11-15, June 16-24, 1863	24
	Aug. 17, 20, 1863	30
Pascagoula, Miss.	Apr. 9, 1863	52
Pass Christian, Miss.	Apr. 3-4, 1862	6
	June 22, 1862	15
Payne's Plantation, Miss.	Aug. 18, 1863	30
Pearl River, Miss.	July 11, 15, 16, 1863	24
	Feb. 28, 1864	32
	July 2-10, 1864	39
Pemberton Fort, Miss.	Mar. 11, 13, 16, Apr. 2, 4, 1863, 24,	Atlas
Perry's Ferry, Miss.	April 19, 1863	24
Peyton's Mill, Miss.	Sept. 19, 1862	17
Pierre Bayou, Miss.	May 2, 3, 1863	24
Ponds, The, Miss.	Jan. 4, 1865	45
Pontotoc, Miss.	Apr. 19, June 17-22, 1863	24
	Feb. 17, 1864	32
	July 11-12, 1864	39
Port Gibson, Miss.	May 1, 1863	24, Atlas
	Oct. 10, 1863	30
	Dec. 26, 1863	31
	July 14, Sept. 30, 1864	39
	May 3-6, 1865	49
Prairie Station, Miss.	Feb. 21, 1864	32
Prentiss, Miss.	Sept. 19, 1862	17
Prophet Bridge, Miss.	Dec. 3, 1862	17
Queen of the West, U. S. S.	Sept. 19, 1862	17
	Feb. 3, 1863	24
	Feb. 14, 1863	15, 24
	Apr. 13, 1863	15
Queen's Hill, Miss.	July 7, 1863	24
	Feb. 4, 1864	32
Quinn and Jackson's Mill, Miss.	June 16, 1863	24
	Oct. 12, 1863	30
	Nov. 1, 3, 1863	31
Raiford's Plantation, Miss.	Feb. 11, 1864	32

Ramer's Crossing, Miss.	Oct. 2, 1862	17
Raymond, Miss.	May 12, 13, 24, 1863	24
Red Bone, Miss.	Apr. 21, 1864	32
Rienzi, Miss.	June 2, 1862	10
	Aug. 26, Sept. 9, 18, 1862	17
	Aug. 8, 1863	24
Ripley, Miss.	July 27-29, Oct. 7, Nov. 19-20, Dec. 23, 25, 1862	17
	Jan. 25, 28-30, June 8-9, 12-14, July 7, Aug. 3, 1863	24
	Dec. 1, 4, 1863	31
	Jan. 23, Apr. 30-May 9, 1864	32
	June 7, 11, July 7, 1864	39
Robinson's Mills, Miss.	Oct. 17, 1863	30
Rocky Creek, Miss.	June 25, 1863	24
Rocky Ford, Miss.	Jan. 7, 1863	17
	June 20, 1863	24
Rodney, Miss.	Dec. 17, 24, 1863	31
	Mar. 4, 1864	32
	Sept. 29-Oct. 3, 1864	39
Rolling Fork, Miss.	Mar. 14-27, 1863	24
	Sept. 22-23, 1864	39
Ruckersville, Miss.	Oct. 1, 7, 1862	17
Saint Catherine's Creek, Miss.	July 31, 1863	24
Salem, Miss.	Mar. 2-3, 1863	24
	Oct. 8, 1863	30
	June 11, 1864	39
Satartia, Miss.	June 2-8, 1863	24
	Oct. 17, 1863	30
	Feb. 7, 1864	32
Senatobia, Miss.	May 21-26, June 20, 1863	24
	Feb. 8-9, 1864	32
Sharon, Miss.	Feb. 27, 1864	32
Sheldon Camp, Miss.	Feb. 8, 10, 1863	24
Ship Island, Miss.	Jan. 20, 1861	1
	July 9, 1861	53
	Sept. 17, Dec. 3, 1861	6

Smith's Bridge, Miss.—June 11, 1863 — 24
Oct. 19, 1863 — 30
Snyder's Bluff, Miss.—Mar. 30, 1864 — 32
Snyder's Mill, Miss.—Dec. 27, 1862 — 17, 24
Apr. 30-May 1, 1863 — 24
South Fork, Bayou Pierre, Miss. — May 2, 1863 — 24
Southwest Mississippi and East Louisiana — Oct. 2-11, 1864 — 39
Spring Dale, Bridge, Miss.—Dec. 3, 1862 — 17
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Steele's Bayou Expedition—Mar. 14-27, 1863 — 24
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Tallahatchie River, Miss.—Nov. 28, 1862 — 17
Dec. 24, 1862 — 17, 22
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Treadwell's Plantation, Miss. — Oct. 16, 1863 — 30
Oct. 20, 1863 — 31
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Tuscumbia Bridge, Miss.—May 30, 1862 — 10
Tuscumbia Creek, Miss.—May 30, 31, 1862 — 10
Union Church, Miss.—Apr. 28, 1862 — 24
Utica, Miss. — May 9-10, 1863 — 24
July 13, 1864 — 39
Verona, Miss. — Dec. 25, 1864 — 41, 45
Vicksburg, Miss. — May 18-July 27, 1862 — 15, 17
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Jan. 10, Feb. 15, 1864 ---------- 32
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May 4-21, June 4, July 2-17, Sept. 21-26, 29-Oct. 3, Nov. 6-8, 1864 ---------- 39
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Walnut Hill, Miss. ---------- May 14, 1863 ---------- 24
Warrenton, Miss. ---------- Feb. 2-3, Mar. 23, Apr. 22, 1863 24
Washington County, Miss. Oct. 24-31, 1864 ---------- 39
Waterford, Miss. ---------- Nov. 29-30, 1862 ---------- 17
Water Valley, Miss. ---------- Dec. 4, 18, 1862 ---------- 17
West Point, Miss. ---------- Feb. 20, 21, 1864 ---------- 32
White Oak Bayou, Miss. ---- July 24, 1862 ---------- 13, 17
Woodville, Miss. ---------- Aug. 3-6, Oct. 4-12, 1864 ---------- 39
Worsham's Creek, Miss. ---- Nov. 6, 1862 ---------- 17
Wyatt, Miss. ---------- Oct. 13, 1863 ---------- 30
Feb. 6-18, 1864 ---------- 32
Yazoo City, Miss. ---------- July —, 1863 ---------- 22
July 12-21, 1863 ---------- 24
Sept. 27-Oct. 1, 1863 ---------- 30
Oct. 31, 1863 ---------- 31
Feb. 9, 28, Mar. 5, 6, 1864 ---- 32
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Nov. 23-Dec. 4, 1864 ---------- 45
Yazoo Pass, Miss. ---------- Feb. 16, 19, 1863 ---------- 24
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